S/INF/67

Resolutions and Decisions of the Security Council

1 August 2011 – 31 July 2012

Security Council
Official Records

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NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2011 to 31 July 2012, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote.

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Membership of the Security Council in 2011 and 2012

In 2011 and 2012, the membership of the Security Council was as follows:

2011	**2012**
Bosnia and Herzegovina	Azerbaijan
Brazil	China
China	Colombia
Colombia	France
France	Germany
Gabon	Guatemala
Germany	India
India	Morocco
Lebanon	Pakistan
Nigeria	Portugal
Portugal	Russian Federation
Russian Federation	South Africa
South Africa	Togo
United Kingdom of Great Britain and Northern Ireland	United Kingdom of Great Britain and Northern Ireland
United States of America	United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2011 to 31 July 2012

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[1]

Decisions

At its 6602nd meeting, on 25 August 2011, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6623rd meeting, on 27 September 2011, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6636th meeting, on 24 October 2011, the Council decided to invite the representatives of Bahrain, Bangladesh, Cuba, the Democratic People's Republic of Korea, Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan, Kuwait, Malaysia, Maldives, Morocco, Nicaragua, Norway, Pakistan, Qatar, Saudi Arabia, Sri Lanka, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Arab Emirates, Venezuela (Bolivarian Republic of) and Viet Nam to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 20 October 2011 to the President of the Council,[2] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs, and Mr. Abdou Salam Diallo, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At its 6662nd meeting, on 21 November 2011, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

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[1] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[2] Document S/2011/653, incorporated in the record of the 6636th meeting.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority.

At its 6692nd meeting, on 20 December 2011, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

At its 6706th meeting, on 24 January 2012, the Council decided to invite the representatives of Australia, Bahrain, Bangladesh, Benin, Brazil, Cuba, the Democratic People's Republic of Korea, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Malaysia, Norway, Qatar, Saudi Arabia, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 23 January 2012 to the President of the Council,[3] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs, and Mr. Abdou Salam Diallo, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At its 6725th meeting, on 28 February 2012, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6742nd meeting, on 27 March 2012, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority.

At its 6757th meeting, on 23 April 2012, the Council decided to invite the representatives of Australia, Bangladesh, Brazil, Canada, Cuba, the Democratic People's Republic of Korea, Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Kazakhstan, Lebanon, Malaysia, Nicaragua, Norway, Qatar, Saudi Arabia, Sri Lanka, the Syrian Arab

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[3] Document S/2012/56, incorporated in the record of the 6706th meeting.

Republic, Tunisia, Turkey, the United Arab Emirates and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 April 2012 to the President of the Council,[4] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs, and Mr. Abdou Salam Diallo, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At its 6775th meeting, on 29 May 2012, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority.

At its 6788th meeting, on 19 June 2012, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

At its 6816th meeting, on 25 July 2012, the Council decided to invite the representatives of Australia, Brazil, Canada, Cuba, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Japan, Kazakhstan, Lebanon, Malaysia, Maldives, Norway, Qatar, Saudi Arabia, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 24 July 2012 to the President of the Council,[5] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, and Mr. Abdou Salam Diallo, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

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[4] Document S/2012/247, incorporated in the record of the 6757th meeting.

[5] Document S/2012/574, incorporated in the record of the 6816th meeting.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

B. The situation in the Middle East[6]

Decisions

At its 6598th meeting, on 3 August 2011, the Security Council considered the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

> "The Security Council expresses its grave concern at the deteriorating situation in the Syrian Arab Republic, and expresses profound regret at the death of many hundreds of people.
>
> "The Council condemns the widespread violations of human rights and the use of force against civilians by the Syrian authorities.
>
> "The Council calls for an immediate end to all violence and urges all sides to act with utmost restraint and to refrain from reprisals, including attacks against State institutions.
>
> "The Council calls upon the Syrian authorities to fully respect human rights and to comply with their obligations under applicable international law. Those responsible for the violence should be held accountable.
>
> "The Council notes the announced commitments by the Syrian authorities to reform and regrets the lack of progress in implementation, and calls upon the Government of the Syrian Arab Republic to implement its commitments.
>
> "The Council reaffirms its strong commitment to the sovereignty, independence and territorial integrity of the Syrian Arab Republic. It stresses that the only solution to the current crisis in the Syrian Arab Republic is through an inclusive and Syrian-led political process, with the aim of effectively addressing the legitimate aspirations and concerns of the population, which will allow the full exercise of fundamental freedoms for the entire population, including freedom of expression and of peaceful assembly.
>
> "The Council calls upon the Syrian authorities to alleviate the humanitarian situation in crisis areas by ceasing the use of force against affected towns, to allow expeditious and unhindered access for international humanitarian agencies and workers, and to cooperate fully with the Office of the United Nations High Commissioner for Human Rights.
>
> "The Council requests the Secretary-General to update the Council on the situation in the Syrian Arab Republic within seven days."

At its 6605th meeting, on 30 August 2011, the Council decided to invite the representatives of Israel, Italy and Spain to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 5 August 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/488)".

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[6] Resolutions or decisions on this question were first adopted by the Security Council in 1967.

[7] S/PRST/2011/16. One member (Lebanon) dissociated itself from the statement.

Resolution 2004 (2011)
of 30 August 2011

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1559 (2004) of 2 September 2004, 1680 (2006) of 17 May 2006, 1701 (2006) of 11 August 2006, 1773 (2007) of 24 August 2007, 1832 (2008) of 27 August 2008, 1884 (2009) of 27 August 2009 and 1937 (2010) of 30 August 2010, as well as the statements by its President on the situation in Lebanon,

Responding to the request of the Government of Lebanon to extend the mandate of the United Nations Interim Force in Lebanon for a new period of one year, without amendment, presented in the letter dated 22 July 2011 from the Minister for Foreign Affairs and Emigrants of Lebanon to the Secretary-General, and welcoming the letter dated 5 August 2011 from the Secretary-General to the President of the Security Council recommending this extension,[8]

Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon,

Reaffirming its commitment to the full implementation of all provisions of resolution 1701 (2006), and aware of its responsibilities to help to secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Calling upon all parties concerned to strengthen their efforts to fully implement all provisions of resolution 1701 (2006) without delay,

Expressing deep concern at all violations in connection with resolution 1701 (2006), in particular the latest grave violations of 15 May and 1 August 2011, and looking forward to the rapid finalization of the investigation by the Force with a view to preventing such incidents in the future,

Commending the Lebanese Armed Forces and the Force on steps taken to prevent an escalation of violence during protests on 5 June 2011,

Emphasizing the importance of full compliance with the prohibition on sales and supply of arms and related materiel established by resolution 1701 (2006),

Recalling the utmost importance that all parties concerned respect the Blue Line in its entirety, and encouraging the parties to accelerate their efforts in coordination with the Force to visibly mark the Blue Line in its entirety,

Condemning in the strongest terms the terrorist attacks against peacekeepers of the Force on 27 May and 26 July 2011, as well as all attempts to threaten the security and stability of Lebanon, reaffirming its determination to ensure that no such acts of intimidation will prevent the Force from implementing its mandate in accordance with resolution 1701 (2006), and welcoming the investigation launched by Lebanon and its commitment to bring to justice the perpetrators of these attacks and to protect the movements of the Force, as stated by the Lebanese Higher Defence Council on 12 August 2011,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,[9]

Commending the active role and dedication of the personnel of the Force, expressing its strong appreciation to Member States that contribute to the Force, and underlining the necessity that the Force have at its disposal all means and equipment necessary to carry out its mandate,

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[8] S/2011/488.

[9] United Nations, *Treaty Series*, vol. 2051, No. 35457.

Recalling the request of the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, and reaffirming the authority of the Force to take all necessary action, in areas of operations of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Force, under close review, and stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Calling upon Member States to assist the Lebanese Armed Forces as needed to enable them to perform their duties in line with resolution 1701 (2006),

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2012;

2. *Commends* the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and calls for further enhancement of this cooperation;

3. *Welcomes*, in this regard, the engagement of the Force and the Lebanese Armed Forces in the strategic dialogue, which aims at carrying out analysis of ground forces and maritime assets and setting a series of benchmarks reflecting the correlation between the capacities and responsibilities of the Force vis-à-vis those of the Lebanese Armed Forces, with a view to identifying Lebanese Armed Forces requirements for implementing tasks mandated in resolution 1701 (2006), calls for an acceleration of its pace, and requests in this regard the Secretary-General to conduct, before the end of the year, a strategic review of the Force in an effort to ensure, along with peacekeeping good practice, that the Force is configured most appropriately to fulfil its mandated tasks;

4. *Strongly calls upon* all parties concerned to respect the cessation of hostilities, to prevent any violation of the Blue Line and to respect it in its entirety and to cooperate fully with the United Nations and the Force;

5. *Condemns in the strongest terms* all terrorist attacks against the Force, and urges all parties to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel and to ensure that the freedom of movement of the Force is fully respected and unimpeded, in conformity with its mandate and its rules of engagement, including by avoiding any course of action which endangers United Nations personnel, and in this regard calls for further cooperation between the Force and the Lebanese Armed Forces, in particular regarding coordinated and adjacent patrols, and for the rapid finalization of the investigation launched by Lebanon regarding the attacks of 27 May and 26 July 2011 in order to bring to justice the perpetrators of those attacks;

6. *Urges* all parties to cooperate fully with the Security Council and the Secretary-General to make tangible progress towards a permanent ceasefire and a long-term solution as envisioned in resolution 1701 (2006), and emphasizes that more work remains to be done by the parties to advance the full implementation of resolution 1701 (2006);

7. *Urges* the Government of Israel to expedite the withdrawal of its army from northern Ghajar without further delay in coordination with the Force, which has actively engaged Israel and Lebanon to facilitate such a withdrawal;

8. *Reaffirms its call upon* all States to fully support and respect the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and the Force;

9. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

10. *Requests* the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006) every four months, or at any time as he deems appropriate;

11. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1515 (2003) of 19 November 2003 and 1850 (2008) of 16 December 2008;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6605th meeting.

Decisions

At its 6627th meeting, on 4 October 2011, the Security Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, the Council voted on a draft resolution contained in document S/2011/612. The result of the voting was as follows: 9 votes in favour (Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Nigeria, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America), 2 against (China and Russian Federation) and 4 abstentions (Brazil, India, Lebanon and South Africa). The draft resolution was not adopted, owing to the negative vote of two permanent members of the Council.

At its 6634th meeting, on 21 October 2011, the Council considered the item entitled "The situation in the Middle East".

Resolution 2014 (2011)
of 21 October 2011

The Security Council,

Recalling its statements to the press of 24 June,[10] 9 August[11] and 24 September 2011,[12]

Expressing grave concern at the situation in Yemen,

Reaffirming its strong commitment to the unity, sovereignty, independence and territorial integrity of Yemen,

Welcoming the statement of the Secretary-General of 23 September 2011 urging all sides to engage in a constructive manner to achieve a peaceful resolution to the current crisis,

Welcoming also the engagement of the Gulf Cooperation Council, and reaffirming the support of the Security Council for the efforts of the Gulf Cooperation Council to resolve the political crisis in Yemen,

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[10] SC/10296.

[11] SC/10357.

[12] SC/10394.

Welcoming further the continuing efforts of the good offices of the Secretary-General, including the visits to Yemen by the Special Adviser to the Secretary-General on Yemen,

Taking note of the Human Rights Council resolution on Yemen,[13] and underlining the need for a comprehensive, independent and impartial investigation consistent with international standards into alleged human rights abuses and violations, with a view to avoiding impunity and ensuring full accountability, and noting in this regard the concerns expressed by the United Nations High Commissioner for Human Rights,

Welcoming the statement of 23 September 2011 by the Ministerial Council of the Gulf Cooperation Council, in which it called for the immediate signing by President Saleh and implementation of the Gulf Cooperation Council initiative, condemned the use of force against unarmed demonstrators and called for restraint, a commitment to a full and immediate ceasefire and the formation of a commission to investigate the events that led to the killing of innocent Yemeni people,

Expressing serious concern at the worsening security situation, including armed conflict, the deteriorating economic and humanitarian situation due to the lack of progress on a political settlement, and the potential for the further escalation of violence,

Reaffirming its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, and reiterating the need for the full, equal and effective participation of women at all stages of peace processes, given their vital role in the prevention and resolution of conflict and peacebuilding, reaffirming the key role that women play in re-establishing the fabric of society, and stressing the need for their involvement in conflict resolution in order to take into account their perspective and needs,

Expressing serious concern about the increasing number of internally displaced persons and refugees in Yemen, the alarming levels of malnutrition caused by drought and soaring fuel and food prices, the increasing interruption of basic supplies and social services and increasingly difficult access to safe water and health care,

Expressing serious concern also at the increased threat from Al-Qaida in the Arabian Peninsula and the risk of new terror attacks in parts of Yemen, and reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations,

Condemning all terrorist and other attacks against civilians and against the authorities, including those aimed at jeopardizing the political process in Yemen, such as the attack on the presidential compound in Sana'a on 3 June 2011,

Recalling the primary responsibility of the Government of Yemen to protect its population,

Stressing that the best solution to the current crisis in Yemen is through an inclusive and Yemeni-led political process of transition that meets the legitimate demands and aspirations of the Yemeni people for change,

Reaffirming its support for the presidential decree of 12 September 2011, which is designed to find a political agreement acceptable to all parties and to ensure a peaceful and democratic transition of power, including the holding of early presidential elections,

Stressing the importance of the stability and security of Yemen, particularly regarding overall international counter-terrorism efforts,

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[13] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II, resolution 18/19.

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations, and emphasizing the threats to regional security and stability posed by the deterioration of the situation in Yemen in the absence of a lasting political settlement,

1. *Expresses profound regret* at the hundreds of deaths, mainly of civilians, including women and children;

2. *Strongly condemns* the continued human rights violations by the Yemeni authorities, such as the excessive use of force against peaceful protestors as well as the acts of violence, use of force and human rights abuses perpetrated by other actors, and stresses that all those responsible for violence, human rights violations and abuses should be held accountable;

3. *Demands* that all sides immediately reject the use of violence to achieve political goals;

4. *Reaffirms* its view that the signature and implementation as soon as possible of a settlement agreement on the basis of the Gulf Cooperation Council initiative is essential for an inclusive, orderly and Yemeni-led process of political transition, notes the signing of the Gulf Cooperation Council initiative by some opposition parties and the General People's Congress, calls upon all parties in Yemen to commit themselves to implementation of a political settlement based upon this initiative, notes the commitment by the President of Yemen to immediately sign the Gulf Cooperation Council initiative and encourages him, or those authorized to act on his behalf, to do so and to implement a political settlement based upon it, and calls for this commitment to be translated into action, in order to achieve a peaceful political transition of power, as stated in the Gulf Cooperation Council initiative and the presidential decree of 12 September 2011, without further delay;

5. *Demands* that the Yemeni authorities immediately ensure that their actions comply with obligations under applicable international humanitarian and human rights law, allow the people of Yemen to exercise their human rights and fundamental freedoms, including their rights of peaceful assembly, to demand redress for their grievances and to freedom of expression, including for members of the media, and take action to end attacks against civilians and civilian targets by security forces;

6. *Calls upon* all parties concerned to ensure the protection of women and children and to improve the participation of women in conflict resolution, and encourages all parties to facilitate the equal and full participation of women at decision-making levels;

7. *Urges* all opposition groups to commit to playing a full and constructive part in the agreement and implementation of a political settlement on the basis of the Gulf Cooperation Council initiative, and demands that all opposition groups refrain from violence and cease the use of force to achieve political aims;

8. *Demands* that all armed groups remove all weapons from areas of peaceful demonstration, refrain from violence and provocation and refrain from the recruitment of children, and urges all parties not to target vital infrastructure;

9. *Expresses* its concern over the presence of Al-Qaida in the Arabian Peninsula and its determination to address this threat in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law;

10. *Encourages* the international community to provide humanitarian assistance to Yemen, and in this regard requests all parties in Yemen to facilitate the work of the United Nations agencies and other relevant organizations and ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need across Yemen;

11. *Requests* the Secretary-General to continue his good offices, including through visits by his Special Adviser on Yemen, and to continue to urge all Yemeni stakeholders to implement the provisions of the present resolution and encourage all States and regional organizations to contribute to this objective;

12. *Also requests* the Secretary-General to report on the implementation of the present resolution within thirty days of its adoption and every sixty days thereafter;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6634th meeting.

Decisions

On 10 November 2011, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your letter dated 8 November 2011 concerning your intention to appoint a selection panel for the Special Tribunal for Lebanon, in accordance with article 2, paragraph 5 (*d*), of the annex to Security Council resolution 1757 (2007),[15] has been brought to the attention of the members of the Council. They take note of the intention and information contained in your letter."

At its 6693rd meeting, on 21 December 2011, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force for the period from 1 July to 31 December 2011 (S/2011/748)".

Resolution 2028 (2011)
of 21 December 2011

The Security Council,

Noting with concern that the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached,

Having considered the report of the Secretary-General of 30 November 2011 on the United Nations Disengagement Observer Force,[16] and reaffirming its resolution 1308 (2000) of 17 July 2000,

Expressing grave concern at the serious events that occurred in the area of operations of the Force on 15 May and 5 June 2011 that put the long-held ceasefire in jeopardy,

Noting that evolving conditions in the region could have an impact on the functioning of the Force,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Calls upon* all parties to cooperate fully with the operations of the United Nations Disengagement Observer Force and to ensure the security of as well as unhindered and immediate access for the United Nations personnel carrying out their mandate, in conformity with existing agreements;

3. *Recalls* the obligation on both parties to fully respect the terms of the disengagement of forces agreement of 31 May 1974,[17] and calls upon the parties to exercise maximum restraint and prevent any breaches of the ceasefire and the area of separation;

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[14] S/2011/703.

[15] S/2011/702.

[16] S/2011/748.

[17] See S/11302/Add.1.

4. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

5. *Welcomes* the Secretary-General's assessment of the operational capacity of the Force, and requests that he take steps to immediately implement the recommendations as outlined in paragraph 12 of his report;[16]

6. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2012;

7. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 6693rd meeting.

Decisions

On 10 January 2012, the President of the Security Council addressed the following letter to the Secretary-General:[18]

> "I have the honour to inform you that your letter dated 6 January 2012 concerning your intention to appoint a selection panel for the Special Tribunal for Lebanon, in accordance with article 3, paragraph 2, of the annex to Security Council resolution 1757 (2007),[19] has been brought to the attention of the members of the Council. They take note of the intention and information contained in your letter."

On 13 January 2012, the President of the Security Council addressed the following letter to the Secretary-General:[20]

> "I have the honour to inform you that your letter dated 12 January 2012 concerning your intention to appoint Mr. Derek Plumbly, of the United Kingdom of Great Britain and Northern Ireland, as the United Nations Special Coordinator for Lebanon[21] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 20 January 2012, the President of the Security Council addressed the following letter to the Secretary-General:[22]

> "I have the honour to inform you that your letter dated 18 January 2012 concerning your intention to appoint Major General Paolo Serra, of Italy, as Head of Mission and Force Commander of the United Nations Interim Force in Lebanon[23] has been brought to the attention of the members of the Security Council. They take note of the intention and information contained in your letter."

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[18] S/2012/23.

[19] S/2012/22.

[20] S/2012/35.

[21] S/2012/34.

[22] S/2012/54.

[23] S/2012/53.

At its 6710th meeting, on 31 January 2012, the Council decided to invite the representatives of Qatar (Prime Minister and Minister for Foreign Affairs) and the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in the Middle East
>
> > "Letter dated 24 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/71)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Nabil Elaraby, Secretary General of the League of Arab States.

At its 6711th meeting, on 4 February 2012, the Council decided to invite the representatives of Bahrain, Egypt, Jordan, Kuwait, Libya, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, the Council voted on a draft resolution contained in document S/2012/77. The result of the voting was as follows: 13 votes in favour (Azerbaijan, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America) and 2 against (China and Russian Federation). The draft resolution was not adopted, owing to the negative vote of two permanent members of the Council.

On 17 February 2012, the President of the Security Council addressed the following letter to the Secretary-General:[24]

> "I have the honour to inform you that your letter dated 16 February 2012,[25] in which you express your intention to extend the mandate of the Special Tribunal for Lebanon for a period of three years from 1 March 2012, in accordance with article 21, paragraph 2, of the annex to Security Council resolution 1757 (2007), has been brought to the attention of the members of the Council, who take note of your intention."

At its 6734th meeting, on 12 March 2012, the Council considered the item entitled "The situation in the Middle East".

At its 6736th meeting, on 21 March 2012, the Council considered the item discussed at the 6734th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[26]

> "The Security Council recalls the statement by its President of 3 August 2011[7] and its statement to the press of 1 March 2012.[27]
>
> "The Council expresses its gravest concern at the deteriorating situation in the Syrian Arab Republic, which has resulted in a serious human rights crisis and a deplorable humanitarian situation. The Council expresses its profound regret at the death of many thousands of people in the Syrian Arab Republic.

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[24] S/2012/102.

[25] S/2012/101.

[26] S/PRST/2012/6.

[27] SC/10564.

"The Council reaffirms its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the purposes and principles of the Charter of the United Nations.

"The Council welcomes the appointment of the Joint Special Envoy of the United Nations and the League of Arab States to Syria, Mr. Kofi Annan, following General Assembly resolution 66/253 A of 16 February 2012 and relevant resolutions of the League of Arab States.

"The Council expresses its full support for the efforts of the Joint Special Envoy to bring to an immediate end all violence and human rights violations, secure humanitarian access and facilitate a Syrian-led political transition to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including by commencing a comprehensive political dialogue between the Government of the Syrian Arab Republic and the whole spectrum of the Syrian opposition.

"With this aim, the Council fully supports the initial six-point proposal submitted to the Syrian authorities, as outlined by the Joint Special Envoy to the Council on 16 March 2012, to:

"(1) Commit to work with the Joint Special Envoy in an inclusive Syrian-led political process to address the legitimate aspirations and concerns of the Syrian people and, to this end, commit to appoint an empowered interlocutor when invited to do so by the Joint Special Envoy;

"(2) Commit to stop the fighting and achieve urgently an effective United Nations-supervised cessation of armed violence in all its forms by all parties to protect civilians and stabilize the country.

To this end, the Government of the Syrian Arab Republic should immediately cease troop movements towards, and end the use of heavy weapons in, population centres, and begin pullback of military concentrations in and around population centres.

As these actions are being taken on the ground, the Government should work with the Joint Special Envoy to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism.

Similar commitments would be sought by the Joint Special Envoy from the opposition and all relevant elements to stop the fighting and work with him to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism;

"(3) Ensure the timely provision of humanitarian assistance to all areas affected by the fighting and to this end, as immediate steps, accept and implement a daily two-hour humanitarian pause and coordinate the exact time and modalities of the daily pause through an efficient mechanism, including at the local level;

"(4) Intensify the pace and scale of release of arbitrarily detained persons, including especially vulnerable categories of persons and persons involved in peaceful political activities, provide without delay, through appropriate channels, a list of all places in which such persons are being detained, immediately begin organizing access to such locations and, through appropriate channels, respond promptly to all written requests for information, access or release regarding such persons;

"(5) Ensure freedom of movement throughout the country for journalists and a non-discriminatory visa policy for them;

"(6) Respect freedom of association and the right to demonstrate peacefully as legally guaranteed.

> "The Council calls upon the Government of the Syrian Arab Republic and the Syrian opposition to work in good faith with the Joint Special Envoy towards a peaceful settlement of the Syrian crisis and to implement fully and immediately his initial six-point proposal.
>
> "The Council requests the Joint Special Envoy to update the Council regularly and in a timely manner on the progress of his mission. In the light of these reports, the Council will consider further steps as appropriate."

At its 6744th meeting, on 29 March 2012, the Council decided to invite the representative of Yemen to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[28]

> "The Security Council welcomes the Yemeni-led peaceful transition process to a just and democratic political system. It notes the recent progress, including the elections of 21 February 2012, which occurred in a largely peaceful manner and with an encouraging level of turnout, and the transfer of power on 25 February 2012 to President Abd Rabbuh Mansour Hadi, in accordance with the Gulf Cooperation Council initiative and implementation mechanism. The Council reaffirms its commitment to the unity, sovereignty, independence and territorial integrity of Yemen.
>
> "The Council expresses concern at the recent deterioration in cooperation among political actors and the risks this poses to the transition. The Council reaffirms its resolution 2014 (2011), and calls upon all political actors in Yemen to remain committed to the political transition and constitutional order, to play a constructive role in the process and to reject violence.
>
> "The Council notes that the second phase of the transition should focus on the holding of a conference for national dialogue, restructuring of the security forces, tackling the unauthorized possession of weapons outside the control of the State, passing legislation on transitional justice to support reconciliation, constitutional reform, electoral reform and the holding of general elections in 2014. The Council emphasizes the need for these political processes to be conducted in an inclusive manner involving the full participation of the different segments of Yemeni society, including the regions of the country, the major social groups and the full and effective participation of women.
>
> "The Council emphasizes the importance of a well planned and peaceful preparatory process for the conference for national dialogue and therefore urges the quick formation by the Government of Yemen of an inclusive preparatory committee involving the major constituencies. In the context of a genuinely inclusive process, the Council reminds the Government and other actors of the need to release those protesters arbitrarily detained during the crisis.
>
> "The Council expresses its strong concern about intensified terrorist attacks, including by Al-Qaida, within Yemen. It condemns such terrorist attacks in the strongest terms and supports the efforts of the Government of Yemen to combat terrorism in compliance with all its obligations under international law, in particular international human rights, refugee and humanitarian law. It expresses deep condolences to the families of the victims in the attacks of March 2012 in Abyan, southern Yemen.
>
> "The Council notes the formidable economic and social challenges confronting Yemen, which have left many Yemenis in acute need of humanitarian assistance. It welcomes the expansion of the humanitarian response capacity by United Nations agencies and partners, while noting with concern that the 2012 Yemen Humanitarian Response Plan

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[28] S/PRST/2012/8.

> is significantly underfunded, and urges renewed and sustained support by donors for the Plan. The Council also urges all parties to facilitate full, safe and unimpeded access for humanitarian actors to reach people in need of humanitarian assistance.
>
> "The Council notes with appreciation the planned Friends of Yemen ministerial meeting, to be held in Riyadh on 23 May 2012, and calls for the international community to maintain its active support to help the Government of Yemen to meet the forthcoming political, security, economic and humanitarian challenges. The Council looks forward to an action plan set out by the Yemeni authorities, in close cooperation with all the parties in Yemen and in a spirit of dialogue, on how these challenges could be addressed with the support of the international community. The Council affirms its view that the Friends of Yemen have a particularly important role to play by bringing together the main international actors in a common endeavour to support Yemen's overall transitional plans during the next two years.
>
> "The Council reiterates that all those responsible for human rights violations and abuses, including acts of violence, should be held accountable. The Council also notes with concern that children continue to be recruited and used by armed groups and certain elements of the military and calls for continued national efforts to discourage the use and recruitment of child soldiers.
>
> "The Council reiterates its call to all parties to remain fully committed to the success of the transition and welcomes the continued engagement of the good offices of the Secretary-General and his Special Adviser on Yemen, Mr. Jamal Benomar. It welcomes the intention of the Secretary-General to dispatch a team of experts to monitor the implementation and provide advice to the parties in consultation with the Government of Yemen; and supports the intention of the United Nations to focus its political engagement through a small presence in Yemen of officials working closely alongside the United Nations country team in order to support Yemeni efforts to organize a national dialogue process that is inclusive, transparent and participatory, and working, in coordination with partner missions, with the Government to adopt transitional justice legislation, carry out constitutional reform and offer support up to and including the general elections in 2014. The Council remains closely engaged on the situation in Yemen and will continue to closely follow the next steps towards a peaceful political transition of power."

At its 6746th meeting, on 5 April 2012, the Council considered the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[29]

> "The Security Council recalls the statements by its President of 3 August 2011[7] and 21 March 2012[26] and its statement to the press of 1 March 2012.[27]
>
> "The Council reaffirms its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the purposes and principles of the Charter of the United Nations.
>
> "The Council expresses its appreciation for the briefing on 2 April 2012 by the Joint Special Envoy of the United Nations and the League of Arab States to Syria, Mr. Kofi Annan. The Council notes that the Government of the Syrian Arab Republic committed on 25 March 2012 to implementing the Joint Special Envoy's six-point proposal.
>
> "The Council calls upon the Government of the Syrian Arab Republic to implement urgently and visibly its commitments, as it agreed to do in its communication to the Joint

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[29] S/PRST/2012/10.

> Special Envoy of 1 April 2012, to (*a*) cease troop movements towards population centres, (*b*) cease all use of heavy weapons in such centres, and (*c*) begin pullback of military concentrations in and around population centres, and to fulfil these in their entirety by no later than 10 April 2012.
>
> "The Council calls upon all parties, including the opposition, to cease armed violence in all its forms within 48 hours of the implementation in their entirety by the Government of the Syrian Arab Republic of measures (*a*), (*b*) and (*c*) above. The Council further calls upon the opposition to engage with the Joint Special Envoy in this regard.
>
> "The Council underscores the importance of an effective and credible United Nations supervision mechanism in the Syrian Arab Republic to monitor a cessation of armed violence in all its forms by all parties and relevant aspects of the Joint Special Envoy's six-point proposal. The Council requests the Secretary-General to provide proposals for such a mechanism as soon as appropriate, after consultations with the Government of the Syrian Arab Republic. The Council stands ready to consider these proposals and to authorize an effective and impartial supervision mechanism upon implementation of a cessation of armed violence in all its forms by all parties.
>
> "The Council underscores the central importance of a peaceful political settlement to the Syrian crisis and reiterates its call for the urgent, comprehensive and immediate implementation of all aspects of the Joint Special Envoy's six-point proposal. The Council reiterates its full support for the Joint Special Envoy's six-point proposal aimed at bringing to an immediate end all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition leading to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including by commencing a comprehensive political dialogue between the Government of the Syrian Arab Republic and the whole spectrum of the Syrian opposition.
>
> "The Council reiterates its call for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance. The Council calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance. To this end, the Council calls upon all parties to immediately implement a daily two-hour humanitarian pause as called for in the Joint Special Envoy's six-point proposal.
>
> "The Council requests the Joint Special Envoy to update the Council on the cessation of violence in accordance with the above timeline, and progress towards implementation of his six-point proposal in its entirety. In the light of these reports, the Council will consider further steps as appropriate."

On 7 April 2012, the President of the Security Council addressed the following letter to the Secretary-General:[30]

> "I have the honour to inform you that your letter dated 6 April 2012 concerning your intention to augment the United Nations team visiting the Syrian Arab Republic with six additional personnel, to be drawn from personnel serving with the United Nations Truce Supervision Organization,[31] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6751st meeting, on 14 April 2012, the Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

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[30] S/2012/200.

[31] S/2012/199.

Resolution 2042 (2012)
of 14 April 2012

The Security Council,

Recalling the statements by its President of 3 August 2011[7] and 21 March[26] and 5 April 2012,[29] and recalling also all relevant resolutions of the General Assembly,

Reaffirming its support for the Joint Special Envoy of the United Nations and the League of Arab States to Syria, Mr. Kofi Annan, and his work, following General Assembly resolution 66/253 A of 16 February 2012 and relevant resolutions of the League of Arab States,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the purposes and principles of the Charter of the United Nations,

Condemning the widespread violations of human rights by the Syrian authorities, as well as any human rights abuses by armed groups, recalling that those responsible shall be held accountable, and expressing its profound regret at the death of many thousands of people in the Syrian Arab Republic,

Noting the commitment of the Government of the Syrian Arab Republic on 25 March 2012 to implement the six-point proposal of the Joint Special Envoy and to implement urgently and visibly its commitments, as it agreed to do in its communication of 1 April 2012 to the Joint Special Envoy, to (*a*) cease troop movements towards population centres, (*b*) cease all use of heavy weapons in such centres, and (*c*) begin pullback of military concentrations in and around population centres, and to implement these in their entirety by no later than 10 April 2012, and noting also the expressed commitment of the Syrian opposition to respect the cessation of violence, provided that the Government does so,

Noting also the Joint Special Envoy's assessment that, as of 12 April 2012, the parties appeared to be observing a cessation of fire and that the Government of the Syrian Arab Republic had started to implement its commitments, and supporting the Joint Special Envoy's call for an immediate and visible implementation by the Government of all elements of the Joint Special Envoy's six-point proposal in their entirety to achieve a sustained cessation of armed violence in all its forms by all parties,

1. *Reaffirms its full support for and calls for* the urgent, comprehensive and immediate implementation of all elements of the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States to Syria, annexed to the present resolution, aimed at bringing to an immediate end all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition leading to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including by commencing a comprehensive political dialogue between the Government of the Syrian Arab Republic and the whole spectrum of the Syrian opposition;

2. *Calls upon* the Government of the Syrian Arab Republic to implement visibly its commitments in their entirety, as it agreed to do in its communication of 1 April 2012 to the Joint Special Envoy, to (*a*) cease troop movements towards population centres, (*b*) cease all use of heavy weapons in such centres, and (*c*) begin pullback of military concentrations in and around population centres;

3. *Underlines* the importance attached by the Joint Special Envoy to the withdrawal of all Syrian Government troops and heavy weapons from population centres to their barracks to facilitate a sustained cessation of violence;

4. *Calls upon* all parties in the Syrian Arab Republic, including the opposition, immediately to cease all armed violence in all its forms;

5. *Expresses its intention*, subject to a sustained cessation of armed violence in all its forms by all parties, to establish immediately, after consultations between the Secretary-General and the Government of the Syrian Arab Republic, a United Nations supervision mission in the Syrian Arab Republic to monitor a cessation of armed violence in all its forms by all parties and relevant aspects of the Joint Special Envoy's six-point proposal, on the basis of a formal proposal from the Secretary-General, which the Security Council requests to receive no later than 18 April 2012;

6. *Calls upon* the Government of the Syrian Arab Republic to ensure the effective operation of the mission, including its advance team, by facilitating the expeditious and unhindered deployment of its personnel and capabilities as required to fulfil its mandate, ensuring its full, unimpeded and immediate freedom of movement and access as necessary to fulfil its mandate, allowing its unobstructed communications, and allowing it to freely and privately communicate with individuals throughout the Syrian Arab Republic without retaliation against any person as a result of interaction with the mission;

7. *Decides* to authorize an advance team of up to 30 unarmed military observers to liaise with the parties and to begin to report on the implementation of a full cessation of armed violence in all its forms by all parties, pending the deployment of the mission referred to in paragraph 5 above, and calls upon the Government of the Syrian Arab Republic and all other parties to ensure that the advance team is able to carry out its functions according to the terms set forth in paragraph 6 above;

8. *Calls upon* the parties to guarantee the safety of the advance team without prejudice to its freedom of movement and access, and stresses that the primary responsibility in this regard lies with the Syrian authorities;

9. *Requests* the Secretary-General to report immediately to the Council any obstructions to the effective operation of the advance team by any party;

10. *Reiterates its call* for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance, and calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance;

11. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution by 19 April 2012;

12. *Expresses its intention* to assess the implementation of the present resolution and to consider further steps as appropriate;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 6751st meeting.

Annex

Six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States to Syria

(1) Commit to work with the Joint Special Envoy in an inclusive Syrian-led political process to address the legitimate aspirations and concerns of the Syrian people and, to this end, commit to appoint an empowered interlocutor when invited to do so by the Joint Special Envoy;

(2) Commit to stop the fighting and achieve urgently an effective United Nations-supervised cessation of armed violence in all its forms by all parties to protect civilians and stabilize the country.

To this end, the Government of the Syrian Arab Republic should immediately cease troop movements towards, and end the use of heavy weapons in, population centres, and begin pullback of military concentrations in and around population centres.

As these actions are being taken on the ground, the Government should work with the Joint Special Envoy to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism.

Similar commitments would be sought by the Joint Special Envoy from the opposition and all relevant elements to stop the fighting and work with him to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism;

(3) Ensure the timely provision of humanitarian assistance to all areas affected by the fighting and, to this end, as immediate steps, accept and implement a daily two-hour humanitarian pause and coordinate the exact time and modalities of the daily pause through an efficient mechanism, including at the local level;

(4) Intensify the pace and scale of release of arbitrarily detained persons, including especially vulnerable categories of persons and persons involved in peaceful political activities, provide without delay, through appropriate channels, a list of all places in which such persons are being detained, immediately begin organizing access to such locations and, through appropriate channels, respond promptly to all written requests for information, access or release regarding such persons;

(5) Ensure freedom of movement throughout the country for journalists and a non-discriminatory visa policy for them;

(6) Respect freedom of association and the right to demonstrate peacefully as legally guaranteed.

Decision

At its 6756th meeting, on 21 April 2012, the Security Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 19 April 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/238)".

Resolution 2043 (2012)
of 21 April 2012

The Security Council,

Recalling its resolution 2042 (2012) of 14 April 2012, as well as the statements by its President of 3 August 2011[7] and 21 March[26] and 5 April 2012,[29] and recalling also all relevant resolutions of the General Assembly,

Reaffirming its support for the Joint Special Envoy of the United Nations and the League of Arab States to Syria, Mr. Kofi Annan, and his work, following General Assembly resolution 66/253 A of 16 February 2012 and relevant resolutions of the League of Arab States,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the purposes and principles of the Charter of the United Nations,

Condemning the widespread violations of human rights by the Syrian authorities, as well as any human rights abuses by armed groups, recalling that those responsible shall be held accountable, and expressing its profound regret at the death of many thousands of people in the Syrian Arab Republic, *Expressing its appreciation* of the significant efforts that have been made by the States bordering the Syrian Arab Republic to assist Syrians who have fled across the borders of the Syrian Arab Republic as a consequence of the violence, and requesting the Office of the United Nations High Commissioner for Refugees to provide assistance as requested by Member States receiving these displaced persons,

Expressing its appreciation also of the humanitarian assistance that has been provided to the Syrian Arab Republic by other States,

Noting the commitment of the Government of the Syrian Arab Republic on 25 March 2012 to implement the six-point proposal of the Joint Special Envoy and to implement urgently and visibly its commitments, as it agreed to do in its communication of 1 April 2012 to the Joint Special Envoy, to (*a*) cease troop movements towards population centres, (*b*) cease all use of heavy weapons in such centres, and (*c*) begin pullback of military concentrations in and around population centres, and to implement these in their entirety by no later than 10 April 2012, and noting also the expressed commitment of the Syrian opposition to respect the cessation of violence, provided that the Government does so,

Expressing concern over ongoing violence and reports of casualties which have escalated again in recent days, following the Joint Special Envoy's assessment of 12 April 2012 that the parties appeared to be observing a cessation of fire and that the Government of the Syrian Arab Republic had started to implement its commitments, and noting that the cessation of armed violence in all its forms is therefore clearly incomplete,

Supporting the Joint Special Envoy's call for an immediate and visible implementation by the Government of the Syrian Arab Republic of all elements of the Joint Special Envoy's six-point proposal in their entirety to achieve a sustained cessation of armed violence in all its forms by all parties,

Taking note of the assessment by the Secretary-General that a United Nations monitoring mission deployed quickly when the conditions are conducive with a clear mandate, the requisite capacities and the appropriate conditions of operation would greatly contribute to observing and upholding the commitment of the parties to a cessation of armed violence in all its forms and to supporting the implementation of the six-point proposal,

Taking note also of the preliminary understanding of 19 April 2012 agreed between the Government of the Syrian Arab Republic and the United Nations,[32] which provides a basis for a protocol governing the advance team and, upon its deployment, the United Nations supervision mechanism,

Having considered the letter dated 19 April 2012 from the Secretary-General addressed to the President of the Security Council,[33]

1. *Reaffirms its full support for and calls for* the urgent, comprehensive and immediate implementation of all elements of the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States to Syria, as annexed to resolution 2042 (2012), aimed at bringing to an immediate end all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition leading to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including by commencing a comprehensive political dialogue between the Government of the Syrian Arab Republic and the whole spectrum of the Syrian opposition;

2. *Calls upon* the Government of the Syrian Arab Republic to implement visibly its commitments in their entirety, as it agreed to do in the preliminary understanding of 19 April 2012

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[32] See S/2012/250.

[33] S/2012/238.

between the Government and the United Nations[32] and as stipulated in resolution 2042 (2012), to (*a*) cease troop movements towards population centres, (*b*) cease all use of heavy weapons in such centres, and (*c*) complete pullback of military concentrations in and around population centres, as well as to withdraw its troops and heavy weapons from population centres to their barracks or temporary deployment places to facilitate a sustained cessation of violence;

3. *Calls upon* all parties in the Syrian Arab Republic, including the opposition, immediately to cease all armed violence in all its forms;

4. *Calls upon* the Syrian armed opposition groups and relevant elements to respect relevant provisions of the preliminary understanding;

5. *Decides* to establish for an initial period of ninety days a United Nations Supervision Mission in the Syrian Arab Republic under the command of a Chief Military Observer, comprising an initial deployment of up to 300 unarmed military observers as well as an appropriate civilian component as required by the Mission to fulfil its mandate, and decides further that the Mission shall be deployed expeditiously subject to assessment by the Secretary-General of relevant developments on the ground, including the consolidation of the cessation of violence;

6. *Decides also* that the mandate of the Mission shall be to monitor a cessation of armed violence in all its forms by all parties and to monitor and support the full implementation of the Joint Special Envoy's six-point proposal;

7. *Requests* that the Secretary-General and the Government of the Syrian Arab Republic conclude without delay a status-of-mission agreement, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and notes the agreement between the Government and the United Nations that, pending the conclusion of such an agreement, the model status-of-forces agreement of 9 October 1990[34] shall apply provisionally;

8. *Calls upon* the Government of the Syrian Arab Republic to ensure the effective operation of the Mission by facilitating the expeditious and unhindered deployment of its personnel and capabilities as required to fulfil its mandate; ensuring its full, unimpeded and immediate freedom of movement and access as necessary to fulfil its mandate, underlining in this regard the need for the Government and the United Nations to agree rapidly on appropriate air transportation assets for the Mission; allowing its unobstructed communications; and allowing it to freely and privately communicate with individuals throughout the Syrian Arab Republic without retaliation against any person as a result of interaction with the Mission;

9. *Calls upon* the parties to guarantee the safety of personnel of the Mission without prejudice to its freedom of movement and access, and stresses that the primary responsibility in this regard lies with the Syrian authorities;

10. *Requests* the Secretary-General to report immediately to the Security Council any obstructions to the effective operation of the Mission by any party;

11. *Reiterates its call* for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance, and calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance;

12. *Invites* all Member States to consider making appropriate contributions to the Mission as requested by the Secretary-General;

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[34] A/45/594, annex.

13. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution within fifteen days of its adoption and every fifteen days thereafter, and also to submit, as necessary, to the Council proposals for possible adjustments to the mandate of the Mission;

14. *Expresses its intention* to assess the implementation of the present resolution and to consider further steps as appropriate;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 6756th meeting.

Decisions

On 27 April 2012, the President of the Security Council addressed the following letter to the Secretary-General:[35]

> "I have the honour to inform you that your letter dated 24 April 2012 concerning your intention to appoint Major General Robert Mood, of Norway, as the Chief Military Observer and Head of Mission of the United Nations Supervision Mission in the Syrian Arab Republic[36] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 17 May 2012, the President of the Security Council addressed the following letter to the Secretary-General:[37]

> "I have the honour to inform you that your letter dated 11 May 2012 concerning your intention to appoint a selection panel for the Special Tribunal for Lebanon, in accordance with article 2, paragraph 5 (*d*), of the annex to Security Council resolution 1757 (2007),[38] has been brought to the attention of the members of the Council. They take note of the intention and information contained in your letter."

At its 6776th meeting, on 29 May 2012, the Council decided to invite the representative of Yemen to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jamal Benomar, Special Adviser to the Secretary-General on Yemen.

At its 6784th meeting, on 12 June 2012, the Council decided to invite the representative of Yemen to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East".

Resolution 2051 (2012)
of 12 June 2012

The Security Council,

Recalling its resolution 2014 (2011) of 21 October 2011 and the statement by its President of 29 March 2012,[28]

Expressing grave concern at the political, security, economic and humanitarian situation in Yemen,

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[35] S/2012/270.

[36] S/2012/269.

[37] S/2012/336.

[38] S/2012/335.

Reaffirming its strong commitment to the unity, sovereignty, political independence and territorial integrity of Yemen,

Welcoming the statement of the Secretary-General of 21 May 2012 encouraging all sides to play a full and constructive role in implementing Yemen's political transition agreement, in accordance with resolution 2014 (2011),

Noting the co-chairs' statement following the Friends of Yemen ministerial meeting held in Riyadh on 23 May 2012, and the support expressed for the political transition agreement in accordance with the Gulf Cooperation Council initiative and implementation mechanism, including the proposal by Saudi Arabia to host a donor meeting in late June 2012,

Expressing grave concern at the security situation and continuing terrorist attacks, in particular by Al-Qaida in the Arabian Peninsula, within Yemen, and reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations,

Condemning all terrorist and other attacks against civilians, against oil, gas and electricity infrastructure and against the legitimate authorities, including those aimed at undermining the political process in Yemen, including the attack in Sana'a on 21 May 2012,

Noting the formidable economic and social challenges confronting Yemen, which have left many Yemenis in acute need of humanitarian assistance,

Welcoming the focus by the Government of National Unity on short-term stabilization of the economy through implementation of the International Monetary Fund Rapid Credit Facility programme,

Stressing that the best solution to the situation in Yemen is through a peaceful, inclusive, orderly and Yemeni-led political transition process that meets the legitimate demands and aspirations of the Yemeni people for peaceful change and meaningful political, economic and social reform, as set forth in the Gulf Cooperation Council initiative and implementation mechanism and in resolution 2014 (2011),

Recalling that the transition process requires the involvement and cooperation of all sides in Yemen, including groups that were not party to the Gulf Cooperation Council initiative and its implementation mechanism,

Expressing concern at the recent deterioration of cooperation among some political actors and actions that could adversely affect or delay the political transition process,

Reiterating the need for comprehensive, independent and impartial investigations consistent with international standards into alleged human rights violations and abuses to ensure full accountability,

Welcoming the continuing engagement of the Secretary-General's good offices, including the visits to Yemen by his Special Adviser on Yemen, Mr. Jamal Benomar,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations, and emphasizing the need for progress in the implementation of the Gulf Cooperation Council initiative and implementation mechanism to avoid further deterioration of the humanitarian and security situation in Yemen that threatens peace and security in the region,

1. *Reaffirms* the need for the full and timely implementation of the Gulf Cooperation Council initiative and implementation mechanism in accordance with resolution 2014 (2011);

2. *Calls upon* all sides in Yemen immediately to reject the use of violence to achieve political goals;

3. *Notes* that, in line with the implementation mechanism, the second phase of the transition process should focus on:

(*a*) Convening an all-inclusive National Dialogue Conference;

(*b*) Restructuring of the security and armed forces under a unified professional national leadership structure and the ending of all armed conflicts;

(*c*) Steps to address transitional justice and to support national reconciliation;

(*d*) Constitutional and electoral reform and the holding of general elections by February 2014;

4. *Supports* the efforts of President Abd Rabbuh Mansour Hadi and the Government of National Unity to move the transition process forward, including through security sector reform and changes in senior appointments in the security and armed forces, and the launch of the preparatory process for convening the National Dialogue Conference;

5. *Emphasizes* the importance of conducting a fully-inclusive, participatory, transparent and meaningful National Dialogue Conference, including with the youth and women's groups, and calls upon all stakeholders in Yemen to participate actively and constructively in this process;

6. *Demands* the cessation of all actions aimed at undermining the Government of National Unity and the political transition, including continued attacks on oil, gas and electricity infrastructure, interference with decisions relating to the restructuring of the armed and security forces, and obstructing the implementation of the presidential decrees of 6 April 2012 concerning military and civilian appointments, and expresses its readiness to consider further measures, including under Article 41 of the Charter of the United Nations, if such actions continue;

7. *Stresses* that all those responsible for human rights violations and abuses must be held accountable, and underlines the need for a comprehensive, independent and impartial investigation consistent with international standards into alleged human rights abuses and violations to prevent impunity and ensure full accountability;

8. *Notes with concern* that children continue to be recruited and used by armed groups and certain elements of the military, and calls for continued national efforts to discourage the use and recruitment of child soldiers;

9. *Reminds* the Government of Yemen and other actors of the need to release immediately those protesters unlawfully detained during the crisis;

10. *Urges* the Government of Yemen to pass legislation on transitional justice to support reconciliation without further delay;

11. *Calls upon* all parties to comply with applicable international law, including international humanitarian law and human rights law;

12. *Calls for* the international community, including the United Nations and the Gulf Cooperation Council, in particular through the Friends of Yemen, to provide active and increasing support to help the Government of Yemen to meet the forthcoming political, security, economic and humanitarian challenges;

13. *Encourages* the international community to provide humanitarian assistance to Yemen and calls for the full funding of the 2012 Yemen Humanitarian Response Plan, and in this regard requests all parties in Yemen to facilitate safe and unimpeded humanitarian access to ensure the delivery of assistance to populations in need;

14. *Emphasizes* the importance of Government of National Unity finalizing and agreeing its two-year development plan to set out priority policy areas and funding modalities, as well as to identify key areas for reform, and requests all donors to support the development plan through established funding modalities and to contribute to the forthcoming donor conference;

15. *Expresses* its concern over the growing number of attacks carried out or sponsored by Al-Qaida in the Arabian Peninsula and its determination to address this threat in accordance with the Charter and international law, including applicable human rights, refugee and humanitarian law;

16. *Requests* the Secretary-General to continue his good offices role, including through the efforts of his Special Adviser on Yemen, Mr. Jamal Benomar, stresses the importance of their close coordination with international partners in order to contribute to the successful transition in Yemen, and in this regard welcomes the political engagement of the United Nations through a small presence in Yemen consisting of a team of experts to support the implementation of the transition process and to provide advice to the parties in conjunction with the Government of Yemen, in particular in support of the national dialogue process;

17. *Also requests* the Secretary-General to continue to coordinate assistance from the international community in support of the national dialogue and transition, as stipulated in the implementation mechanism of the Gulf Cooperation Council initiative;

18. *Further requests* the Secretary-General to continue to report on developments in Yemen every sixty days;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6784th meeting.

Decisions

On 19 June 2012, the President of the Security Council addressed the following letter to the Secretary-General:[39]

> "I have the honour to inform you that your letter dated 15 June 2012 concerning your intention to appoint Major General Iqbal Singh Singha, of India, as the Head of Mission and Force Commander of the United Nations Disengagement Observer Force[40] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 21 June 2012, the President of the Security Council addressed the following letter to the Secretary-General:[41]

> "I have the honour to inform you that your letter dated 18 June 2012 concerning your intention to establish a small Office of the Special Adviser to the Secretary-General on Yemen for an initial period of 12 months[42] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6791st meeting, on 27 June 2012, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2012/403)".

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[39] S/2012/459.

[40] S/2012/458.

[41] S/2012/470.

[42] S/2012/469.

Resolution 2052 (2012)
of 27 June 2012

The Security Council,

Noting with concern that the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached,

Having considered the report of the Secretary-General of 5 June 2012 on the United Nations Disengagement Observer Force,[43] and reaffirming its resolution 1308 (2000) of 17 July 2000,

Expressing grave concern at all violations of the disengagement of forces agreement of 31 May 1974,[17] in particular that by the Syrian Arab Armed Forces of 1 March 2012, in which they entered the area of separation,

Strongly deploring the incidents of 5 and 12 March 2012, during which shots were fired at Observer Group Golan teams, in particular that of 12 March, in which shots were fired by a soldier from the Bravo side in the area of limitation,

Expressing concern at the incident of 26 February 2012, in which soldiers on the Alpha side fired shots into the area of separation,

Concurring with the finding of the Secretary-General that events elsewhere in the Syrian Arab Republic have started to manifest themselves in the area of responsibility of the Force,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Calls upon* all parties to cooperate fully with the operations of the United Nations Disengagement Observer Force and to ensure the security of as well as unhindered and immediate access for the United Nations personnel carrying out their mandate, in conformity with existing agreements;

3. *Stresses* the obligation on both parties to scrupulously and fully respect the terms of the disengagement of forces agreement,[17] and calls upon the parties to exercise maximum restraint and prevent any breaches of the ceasefire and the area of separation;

4. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

5. *Notes* the substantial progress achieved with regard to implementation of the recommendations of the assessment of the operational capacity of the Force, as requested in its resolution 2028 (2011) of 21 December 2011, in terms of maintaining and upgrading Force equipment and infrastructure;

6. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2012;

7. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 6791st meeting.

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[43] S/2012/403.

Decisions

At its 6810th meeting, on 19 July 2012, the Security Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the implementation of Security Council resolution 2043 (2012) (S/2012/523)".

At the same meeting, the Council voted on a draft resolution contained in document S/2012/538. The result of the voting was as follows: 11 votes in favour (Azerbaijan, Colombia, France, Germany, Guatemala, India, Morocco, Portugal, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America), 2 against (China and Russian Federation) and 2 abstentions (Pakistan and South Africa). The draft resolution was not adopted, owing to the negative vote of two permanent members of the Council.

At its 6812th meeting, on 20 July 2012, the Council considered the item entitled:

"The situation in the Middle East

> Report of the Secretary-General on the implementation of Security Council resolution 2043 (2012) (S/2012/523)".

Resolution 2059 (2012)
of 20 July 2012

The Security Council,

Commending the efforts of the United Nations Supervision Mission in the Syrian Arab Republic,

1. *Decides* to renew the mandate of the United Nations Supervision Mission in the Syrian Arab Republic for a final period of thirty days, taking into consideration the recommendations of the Secretary-General to reconfigure the Mission,[44] and taking into consideration the operational implications of the increasingly dangerous security situation in the Syrian Arab Republic;

2. *Calls upon* the parties to assure the safety of personnel of the Mission without prejudice to its freedom of movement and access, and stresses that the primary responsibility in this regard lies with the Syrian authorities;

3. *Expresses its willingness* to renew the mandate of the Mission thereafter only in the event that the Secretary-General reports and the Security Council confirms the cessation of the use of heavy weapons and a reduction in the level of violence by all sides sufficient to allow the Mission to implement its mandate;

4. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution within fifteen days;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 6812th meeting.

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[44] See S/2012/523.

COMMUNICATIONS CONCERNING THE INDIA-PAKISTAN QUESTION[45]

Decision

On 8 June 2012, the President of the Security Council addressed the following letter to the Secretary-General:[46]

> "I have the honour to inform you that your letter dated 6 June 2012 concerning your intention to appoint Major General Young-Bum Choi, of the Republic of Korea, as Chief Military Observer and Head of Mission of the United Nations Military Observer Group in India and Pakistan[47] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN CYPRUS[48]

Decision

At its 6685th meeting, on 14 December 2011, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2011/746 and Corr.1)".

Resolution 2026 (2011) of 14 December 2011

The Security Council,

Welcoming the report of the Secretary-General of 30 November 2011 on the United Nations operation in Cyprus,[49]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2011,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008,

Welcoming also the move towards a more intensive phase of negotiations, stressing that the status quo is unsustainable, and strongly urging the leaders to increase the momentum of the negotiations, particularly on the core issues, to reach an enduring, comprehensive and just settlement based on a bicommunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions,

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[45] Resolutions or decisions on this question were first adopted by the Security Council in 1948.

[46] S/2012/419.

[47] S/2012/418.

[48] Resolutions or decisions on this question were first adopted by the Security Council in 1963.

[49] S/2011/746 and Corr.1.

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the Secretary-General's view that a comprehensive settlement can be achieved, looking forward to decisive progress in the near future, leading up to the Secretary-General's meeting with the leaders in January 2012, and echoing the Secretary-General's expectation that "all internal aspects of a settlement will have been resolved by then so that we can move to a multilateral conference shortly thereafter" with the consent of the two sides,

Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 30 and 31 October 2011 and his intention to meet with the two leaders in January 2012, and noting his intention to submit to the Council in January 2012 an updated assessment on the state of the process,

Noting the need to advance the consideration of and discussions on military confidence-building measures, and calling for renewed efforts to implement all remaining confidence-building measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, and encouraging the opening by mutual agreement of other crossing points,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, urging the two sides and their leaders to foster positive public rhetoric, and encouraging them clearly to explain the benefits of the settlement, as well as the need for increased flexibility and compromise in order to secure it, to both communities well in advance of any eventual referendums,

Considering that undermining the credibility of the United Nations undermines the peace process itself,

Highlighting the importance of the supporting role of the international community, and in particular that of the parties concerned, in taking practical steps towards helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Noting with regret that the sides are withholding access to the remaining minefields in the buffer zone and that demining in Cyprus has ceased as a result, noting the continued danger posed by mines in Cyprus, and urging rapid agreement on facilitating the recommencement of demining operations and clearance of the remaining minefields,

Highlighting the importance of the activities of the Committee on Missing Persons in Cyprus, urging the opening up of access to all areas to allow the Committee to carry out its work, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups, including women's groups, is essential to the political process and can contribute to making any future settlement sustainable, recalling that women play an important role in peace processes, welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, *Welcoming* the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and other resources and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, and the efforts of Ms. Lisa Buttenheim as the Special Representative of the Secretary-General in Cyprus,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force and his request for further voluntary contributions from other countries and organizations, and expressing its appreciation to Member States that contribute personnel to the Force,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the encouraging progress made so far in the fully fledged negotiations and the prospect of further decisive progress in the coming months towards a comprehensive and durable settlement that this has created;

2. *Takes note* of the report of the Secretary-General of 8 August 2011;[50]

3. *Recalls* Security Council resolution 1986 (2011) of 13 June 2011, and calls upon the two leaders:

(*a*) To intensify the momentum of negotiations, engage in the process in a constructive and open manner and work on reaching convergences on the remaining core issues in preparation for their meeting with the Secretary-General in January 2012 and for further work in the following months towards a settlement;

(*b*) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages;

(*c*) To increase the participation of civil society in the process, as appropriate;

4. *Urges* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including military confidence-building measures and the opening of other crossing points;

5. *Urges* all parties to be more forthcoming in accommodating the exhumation requirements of the Committee on Missing Persons in Cyprus throughout the island, including in military areas in the north;

6. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

7. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 19 July 2012;

8. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

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[50] S/2011/498.

9. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

10. *Calls upon* both sides to allow access to deminers and to facilitate the removal of the remaining mines in Cyprus within the buffer zone, and urges both sides to extend demining operations outside the buffer zone;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 July 2012 and to keep the Council updated on events as necessary;

12. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 6685th meeting.

Decision

At its 6809th meeting, on 19 July 2012, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2012/507)".

Resolution 2058 (2012)
of 19 July 2012

The Security Council,

Welcoming the report of the Secretary-General of 29 June 2012 on the United Nations operation in Cyprus,[51]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 19 July 2012,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008,

Recalling the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, noting that the move towards a more intensive phase of negotiations has not yet resulted in an enduring, comprehensive and just settlement based on a bicommunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions, encouraging the sides to proceed with the substantive negotiations on the core issues, and stressing that the status quo is unsustainable,

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[51] S/2012/507.

Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 30 and 31 October 2011 and 23 and 24 January 2012, and expressing continued support for his efforts,

Noting the need to advance the consideration of and discussions on military confidence-building measures, and calling for renewed efforts to implement all remaining confidence-building measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, and encouraging the opening by mutual agreement of other crossing points,

Convinced of the many important benefits, including economic benefits, for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, urging the two sides and their leaders to foster positive public rhetoric, and encouraging them clearly to explain the benefits of the settlement, as well as the need for increased flexibility and compromise in order to secure it, to both communities well in advance of any eventual referendums,

Considering that undermining the credibility of the United Nations undermines the peace process itself,

Highlighting the importance of the supporting role of the international community, and in particular that of the parties concerned, in taking practical steps towards helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Noting with regret that the sides are withholding access to the remaining minefields in the buffer zone, noting that demining in Cyprus must continue, noting also the continued danger posed by mines in Cyprus, and urging rapid agreement on facilitating the recommencement of demining operations and clearance of the remaining minefields,

Highlighting the importance of the activities of the Committee on Missing Persons in Cyprus, urging the opening up of access to all areas to allow the Committee to carry out its work, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups, including women's groups, is essential to the political process and can contribute to making any future settlement sustainable, recalling that women play an important role in peace processes, welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations under close review to ensure efficiency and effectiveness, including a review of the Force when appropriate, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and other resources and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, and the efforts of Ms. Lisa Buttenheim as the Special Representative of the Secretary-General in Cyprus,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force and his request for further voluntary contributions from other countries and organizations, and expressing its appreciation to Member States that contribute personnel to the Force,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Acknowledges* the progress made so far in the fully fledged negotiations, but notes that this has not been sufficient and has not yet resulted in a comprehensive and durable settlement, and urges the sides to continue their discussions to reach decisive progress on the core issues;

2. *Takes note* of the report of the Secretary-General,[51]

3. *Recalls* Security Council resolution 2026 (2011) of 14 December 2011, and calls upon the two leaders:

(*a*) To put their efforts behind further work on reaching convergences on the core issues;

(*b*) To continue to work with the technical committees with the objective of improving the daily lives of the Cypriots;

(*c*) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages;

(*d*) To increase the participation of civil society in the process, as appropriate;

4. *Urges* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including military confidence-building measures and the opening of other crossing points;

5. *Urges* all parties to be more forthcoming in accommodating the exhumation requirements of the Committee on Missing Persons in Cyprus by providing unrestricted access throughout the island, including in military areas in the north;

6. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

7. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 31 January 2013;

8. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

9. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

10. *Calls upon* both sides to allow access to deminers and to facilitate the removal of the remaining mines in Cyprus within the buffer zone, and urges both sides to extend demining operations outside the buffer zone;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 10 January 2013 and to keep the Council updated on events as necessary;

12. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.

Adopted at the 6809th meeting
by 13 votes to none, with 2 abstentions
(Azerbaijan and Pakistan).

THE SITUATION CONCERNING WESTERN SAHARA[52]

Decision

At its 6758th meeting, on 24 April 2012, the Security Council decided to invite the representative of Spain to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2012/197)".

Resolution 2044 (2012)
of 24 April 2012

The Security Council,

Recalling and reaffirming all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions 1754 (2007) of 30 April 2007, 1783 (2007) of 31 October 2007, 1813 (2008) of 30 April 2008, 1871 (2009) of 30 April 2009, 1920 (2010) of 30 April 2010 and 1979 (2011) of 27 April 2011,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the United Nations Mission for the Referendum in Western Sahara, under close review, and reiterating the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing concern about the violations of existing agreements, and calling upon the parties to respect their relevant obligations,

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[52] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007[53] and welcoming serious and credible Moroccan efforts to move the process forward towards resolution, and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,[54]

Encouraging, in this context, the parties to demonstrate further political will towards a solution, including by expanding upon their discussion of each other's proposals,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the continued rounds of informal talks, and welcoming the progress made by the parties to enter into direct negotiations,

Welcoming the progress made by the parties in discussing innovative negotiating approaches and discrete subjects, their commitment to deepen the discussions on these and other issues, and the meeting of the parties on natural resources of 9 November 2011 and progress made towards demining,

Welcoming also the positive conclusion of the seminar on Hassaniyya culture sponsored by the Office of the United Nations High Commissioner for Refugees, held from 12 to 16 September 2011, and the agreement by the parties to hold two additional seminars in 2012, as well as the holding of a high-level meeting on confidence-building measures for Western Sahara, facilitated by the Office of the High Commissioner, on 24 and 25 January 2012,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and encouraging the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Welcoming the opening of National Council on Human Rights regional commissions operating in Dakhla and Laayoune, and the steps taken by Morocco in order to fulfil its commitment to ensure unqualified and unimpeded access to all special procedures of the United Nations Human Rights Council,

Welcoming also the implementation of the enhanced refugee protection programme developed by the Office of the High Commissioner in coordination with the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro, which includes refugee and human rights training and awareness initiatives,

Reiterating the request that the Office of the High Commissioner maintain its consideration of a refugee registration in the Tindouf refugee camps,

Looking forward to the implementation of the updated plan of action on confidence-building measures adopted in Geneva on 24 and 25 January 2012, including the inauguration of family visits by land, the use of new information technology to facilitate communication links between families, and the continuation and expansion of the existing programme by air, and encouraging the parties to cooperate with the Office of the High Commissioner in implementing their agreement,

Welcoming the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable, and noting further that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

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[53] See S/2007/206, annex.

[54] S/2007/210, annex.

Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, welcoming his ongoing consultations with the parties and neighbouring States, and looking forward to his regional visit in the near future, including to Western Sahara, in accordance with the communiqué of the informal meeting on Western Sahara held from 11 to 13 March 2012,

Also affirming its support for the Special Representative of the Secretary-General for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara, Mr. Hany Abdel-Aziz,

Having considered the report of the Secretary-General of 5 April 2012,[55]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 2013;

2. *Reaffirms* the need for full respect of the military agreements reached with the Mission with regard to the ceasefire, and calls upon the parties to adhere fully to those agreements;

3. *Calls upon* all parties to cooperate fully with the operations of the Mission, including its free interaction with all interlocutors, and to take the steps necessary to ensure the security of, as well as unhindered movement and immediate access for, the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

4. *Welcomes* the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;[56]

5. *Calls upon* the parties to continue to show political will and to work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010) and 1979 (2011) and the success of negotiations, inter alia, by continuing their discussion of the ideas set out in paragraph 120 of the report of the Secretary-General of 1 April 2011;[57]

6. *Affirms its strong support* for the commitment of the Secretary-General and his Personal Envoy for Western Sahara towards a solution to the question of Western Sahara in this context, and calls for an intensified pace of meetings and strengthening of contacts;

7. *Calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect;

8. *Invites* Member States to lend appropriate assistance to these talks;

9. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, the implementation of the present resolution, challenges to the operations of the Mission and steps taken to address them, expresses its intention to meet to receive and discuss his briefings, and in this regard further requests the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

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[55] S/2012/197.

[56] See S/2008/251, para. 66.

[57] S/2011/249.

10. *Welcomes* the commitment of the parties and the neighbouring States to hold periodic meetings with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

11. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for visits between separated family members, as well as other confidence-building measures agreed upon between the parties;

12. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 6758th meeting.

Decision

On 13 June 2012, the President of the Security Council addressed the following letter to the Secretary-General:[58]

> "I have the honour to inform you that your letter dated 12 April 2012 concerning your decision to appoint Mr. Wolfgang Weisbrod-Weber, of Germany, as your Special Representative for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara[59] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN TIMOR-LESTE[60]

Decisions

At its 6664th meeting, on 22 November 2011, the Security Council decided to invite the representatives of Angola, Australia, Japan, Nauru, New Zealand, Papua New Guinea, the Philippines and Timor-Leste (Minister for Foreign Affairs and Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2011/641)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Ameerah Haq, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ioannis Vrailas, Deputy Head of the Delegation of the European Union to the United Nations.

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[58] S/2012/442.

[59] S/2012/441.

[60] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

At its 6720th meeting, on 22 February 2012, the Council decided to invite the representatives of Angola, Australia, Brazil, Japan, Malaysia, New Zealand and Timor-Leste (President) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2012/43)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Ameerah Haq, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ioannis Vrailas, Deputy Head of the Delegation of the European Union to the United Nations.

At its 6721st meeting, on 23 February 2012, the Council decided to invite the representatives of Australia, Brazil, Japan, Malaysia and New Zealand to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2012/43)".

Resolution 2037 (2012)
of 23 February 2012

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006, 1704 (2006) of 25 August 2006, 1745 (2007) of 22 February 2007, 1802 (2008) of 25 February 2008, 1867 (2009) of 26 February 2009, 1912 (2010) of 26 February 2010 and 1969 (2011) of 24 February 2011,

Welcoming the report of the Secretary-General of 18 January 2012,[61]

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Taking note of the general stability through further improvements in the political and security situation, and welcoming the strong commitment of the leadership and other stakeholders in Timor-Leste to fostering national dialogue and peaceful and inclusive participation in democratic processes and their ongoing efforts to promote continued peace, stability and unity,

Stressing the importance for Timor-Leste's long-term stability of ensuring a peaceful, credible and transparent electoral process in 2012, and encouraged by the steady progress made in the preparation of the presidential and parliamentary elections, notably by the commitment of political leaders to peace and stability during the electoral process and by the ongoing efforts of the electoral management bodies to increase the participation of women and youth in the electoral process,

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[61] S/2012/43.

Noting with appreciation the work of the High-Level Committee on Transition, welcoming the Joint Transition Plan of 19 September 2011 signed by the Government of Timor-Leste and the United Nations Integrated Mission in Timor-Leste, and looking forward to its effective implementation,

Reaffirming the need for respect for the independence of the judiciary, stressing the need to act against impunity, while noting the continuing serious resource constraints of the judicial system and the efforts of the Government of Timor-Leste to address these challenges, and encouraging the leadership of Timor-Leste to continue to increase its efforts to establish accountability for serious criminal offences, including those committed during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry for Timor-Leste,[62]

Encouraging further progress in finalizing the draft laws on reparations and on the establishment of follow-on institutions to the Commission for Reception, Truth and Reconciliation and the Commission for Truth and Friendship, pursuant to the resolution of the National Parliament of Timor-Leste adopted on 14 December 2009,

Welcoming the further progress made in strengthening capacities in the justice and corrections sectors, which has resulted in enhanced access to justice, reductions in pending criminal prosecution cases and improved prison infrastructure,

Recognizing the steps taken by the Government of Timor-Leste to further strengthen the institutional capacities and effectiveness of the Anti-Corruption Commission and the Civil Service Commission and to consolidate broad support for anti-corruption measures, welcoming the approval of the Law on Preventing and Combating Money-laundering and Financing of Terrorism and emphasizing the importance of effective laws, institutions, mechanisms and norms relating to the transparency, accountability and efficiency of public administration for the long-term stability and development of the country, and encouraging in this regard implementation of the law establishing the Audit Chamber of the High Administrative, Tax and Audit Court,

Welcoming the full resumption of primary policing responsibilities by the National Police of Timor-Leste, the ongoing implementation of the National Police-Mission Police Joint Development Plan and the continued focus by the National Police on operational capacity, with technical advice from the Mission police, in preparation for the coming electoral process and final certification of the reconstitution of the National Police, and noting the continuing need for support to the further institutional development and capacity-building of the National Police,

Expressing its full support for the role of the international security forces in assisting the Government of Timor-Leste and the Mission in the maintenance of law and stability, in response to the requests of the Government,

Welcoming the enhancement of the capability of the Falintil-Forças de Defesa de Timor-Leste, including the deployment of personnel in United Nations peacekeeping missions such as the United Nations Interim Force in Lebanon and the United Nations Mission in South Sudan,

Welcoming also the progress of the Government of Timor-Leste in achieving strong economic growth and socioeconomic development, including reductions in the percentage of the population living in poverty and the improvement of human development indicators, while acknowledging the challenges that remain in achieving inclusive and sustainable growth, particularly through the promotion of rural development, the private sector and employment generation, especially for the youth, and by regulating land and property titles and ownership,

Welcoming further the adoption by the Government of Timor-Leste of the Strategic Development Plan covering the period from 2011 to 2030,

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[62] See S/2006/822, annex.

Recalling that, while Timor-Leste has progressed in many aspects of its political, economic and social development, as well as in human resources development and institution-building, the country still faces many challenges and needs the continued assistance of bilateral and multilateral partners in order to fully realize its potential for equitable and inclusive sustainable growth,

Acknowledging the contribution that Timor-Leste has made in demonstrating the critical importance of institution-building and aid effectiveness in post-conflict peacebuilding, including through its work in the Group of Seven Plus,

Welcoming the commitment and action of the Government of Timor-Leste to promote the objectives of Security Council resolution 1325 (2000) of 31 October 2000, including measures taken to protect women and girls from gender-based violence, especially those measures relating to the implementation of the Law against Domestic Violence, and the work of the Vulnerable Persons Units of the National Police of Timor-Leste, as well as the commitment by the Government to the participation of women in the political sphere in the upcoming elections and other measures relating to the situation of women and girls,

Welcoming also the positive engagement and constructive response by the Government of Timor-Leste following the review of its national report through the universal periodic review mechanism of the Human Rights Council,

Recognizing the important contribution of the United Nations Integrated Mission in Timor-Leste in promoting peace, stability and development in Timor-Leste, and expressing its appreciation for the efforts of the Mission and the United Nations country team, under the leadership of the Special Representative of the Secretary-General for Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Integrated Mission in Timor-Leste until 31 December 2012 at the current authorized levels, and endorses the plan of its phased drawdown, in accordance with the wishes of the Government of Timor-Leste and conditions on the ground and following the successful completion of the 2012 electoral process, as recommended in paragraph 65 of the report of the Secretary-General[61] and as reflected in the Joint Transition Plan;

2. *Urges* all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, the promotion of protection of human rights and the advancement of national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste in promoting a culture of democratic governance, through inclusive and collaborative processes;

3. *Requests* the Mission to continue to extend the necessary support, within its current mandate, for the preparation and implementation of the presidential and parliamentary elections, as requested by the Government of Timor-Leste, and calls upon the international community to provide assistance in this process, including by sending election observers and volunteers as requested by the Government;

4. *Reaffirms* the importance that the Government of Timor-Leste continues the review and reform of the security sector in Timor-Leste, in particular the need to delineate roles and responsibilities between the Falintil-Forças de Defesa de Timor-Leste and the National Police of Timor-Leste, to strengthen legal frameworks and to enhance civilian oversight and accountability mechanisms of both security institutions, supports the efforts of the Special Representative to promote security sector professionalization, and requests the Mission to continue to support the Government, as requested, in its efforts in the country;

5. *Emphasizes* the importance of taking all measures necessary to ensure the credibility and integrity of the National Police of Timor-Leste, and notes the efforts of the Government of Timor-Leste towards resolving the outstanding disciplinary and criminal charges faced by National Police officers;

6. *Encourages* efforts towards the full reconstitution of the National Police of Timor-Leste pursuant to the exchange of letters between the Government of Timor-Leste and the Mission, including through jointly agreed measures to enhance the institutional capacity of the National Police;

7. *Requests* the Mission to provide operational support to the National Police of Timor-Leste, in particular for the electoral process, within its current mandate, as mutually agreed between the Government of Timor-Leste and the Mission;

8. *Also requests* the Mission to support the further institutional development and capacity-building of the National Police of Timor-Leste pursuant to the National Police-Mission Police Joint Development Plan, appeals to all countries concerned to approve requests for the extension of the deployment of police officers serving in key Mission positions, and emphasizes the significant role to be played in this by other bilateral and multilateral partners and the importance of promoting Timorese leadership;

9. *Underscores* the need for the concept of operations and rules of engagement to be regularly updated as necessary and to be fully in line with the provisions of the present resolution;

10. *Reaffirms* the importance of ongoing efforts to achieve accountability and justice, expresses its support for the work of the Mission in assisting the Government of Timor-Leste in this regard, within its mandate, as well as for the initiatives to strengthen the Office of the Provedor for Human Rights and Justice, and underlines the importance of the implementation by the Government of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006,[62] including paragraphs 225 to 228 thereof;

11. *Underlines* the importance of a coordinated approach to the justice sector reform, taking into account the recommendations of the independent comprehensive needs assessment and through the implementation of the Government of Timor-Leste's Justice Sector Strategic Plan, and the ongoing need to increase Timorese ownership and strengthen national capacity in judicial line functions, including the training and specialization of national lawyers and judges, and emphasizes the need for sustained support of the international community in capacity-building and strengthening of institutions in this sector;

12. *Requests* the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry;

13. *Calls upon* the Mission to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building;

14. *Recognizes* the importance of the development plans devised by the Government of Timor-Leste, particularly the Strategic Development Plan, especially the attention paid to infrastructure, rural development and human resources capacity development, and in this regard welcomes the Dili Development Pact agreed between the Government and the donor community in July 2011, and calls upon the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government and relevant institutions in designing poverty reduction, education improvement, promotion of sustainable livelihood and economic growth policies;

15. *Encourages* further efforts towards the effective implementation of the Joint Transition Plan, including through engagement between the Mission, the Government of Timor-Leste and bilateral and multilateral partners regarding the transfer of functions currently provided by the Mission which will be needed after the withdrawal of the Mission;

16. *Encourages* the Government of Timor-Leste to continue to strengthen peacebuilding perspectives in such areas as employment and empowerment, especially focusing on rural areas, women and youth, as well as local socioeconomic development, in particular in the agricultural sector;

17. *Requests* the Mission to fully take into account gender considerations as set out in Security Council resolutions 1325 (2000), 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and reaffirms Council resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians and resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel;

18. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

19. *Reaffirms* the importance of the medium-term strategy and benchmarks[63] for measuring and tracking progress in Timor-Leste and assessing the level and form of United Nations support and cooperation with the Government of Timor-Leste while keeping the benchmarks under active review, and underlines the importance of ownership of the strategy by the leaders and people of Timor-Leste in this process;

20. *Requests* the Secretary-General to keep the Council regularly informed of the developments on the ground and to submit to the Council, within sixty days of the formation of the new Government and at the latest by 15 October 2012, a report assessing the security and political situation and providing recommendations on the completion of the Mission and the transfer of responsibilities in order to enable the Government of Timor-Leste and the Mission to finalize preparations for the withdrawal of the Mission consistent with the situation on the ground and the views of the Government concerning the post-Mission role of the United Nations in Timor-Leste;

21. *Encourages* a timely decision by the Government of Timor-Leste on the nature, activities and scope of the United Nations role post-Mission in coordination with the Mission, the United Nations country team and other relevant stakeholders;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 6721st meeting.

UNITED NATIONS PEACEKEEPING OPERATIONS[64]

Decisions

At its 6603rd meeting, on 26 August 2011, the Security Council decided to invite the representatives of Argentina, Australia, Azerbaijan, Bangladesh, Canada, Croatia, Ethiopia, Fiji, Guatemala, Hungary, Indonesia, Japan, Kyrgyzstan, Malaysia, Morocco, Nepal, Norway, Pakistan, Peru, the Philippines, the Republic of Korea, Senegal, Serbia, Slovenia, Sri Lanka, Tunisia, Uganda, Ukraine, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"United Nations peacekeeping operations

> "Peacekeeping: taking stock and preparing for the future
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> "Letter dated 5 August 2011 from the Permanent Representative of India to the United Nations addressed to the Secretary-General (S/2011/496)".

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[63] S/2009/72, annex.

[64] Resolutions or decisions on this question were first adopted by the Security Council in 1990.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Ioannis Vrailas, Deputy Head of Delegation and Chargé d'affaires a.i. of the Delegation of the European Union to the United Nations, and Mr. Téte António, Permanent Observer of the African Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[65]

"The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security.

"The Council affirms that respect for the basic principles of peacekeeping, including consent of the parties, impartiality and the non-use of force except in self-defence and the defence of a mandate authorized by the Council, is essential to the success of peacekeeping operations.

"The Council stresses the role of the United Nations peacekeepers in supporting efforts to promote political processes and peaceful settlements of disputes. The Council underlines the need for precise, full and effective implementation of mandates and its intention to continue to review and monitor such implementation on a regular basis. The Council recognizes the role of regional organizations in peacekeeping in accordance with Chapter VIII of the Charter.

"The Council recognizes the importance of providing peacekeeping operations with clear, credible and achievable mandates. It also recognizes the need for adequate provision, management and efficient and effective use of operational and logistical resources for peacekeeping operations, in congruence with approved mandates and based on a realistic assessment of the situation. The Council also requests that the Secretary-General include a realistic assessment of how available capabilities and logistical planning affect the implementation of the various mandate elements in briefings regarding specific peacekeeping operations.

"The Council welcomes efforts by Member States to respond more quickly to requests for the provision of personnel to take part in United Nations peacekeeping operations and underlines the importance of swift force generation in the early stages of mandate formulation.

"The Council believes that United Nations peacekeeping is a unique global partnership that draws together the contribution and commitment of the entire United Nations system. The Council stresses the need to improve the communication between the Council, the troop-contributing countries and police-contributing countries and the Secretariat, and other stakeholders, in accordance with resolution 1353 (2001), to foster a spirit of partnership, cooperation, confidence and mutual trust and to ensure that the Council has the benefit of the views of those serving in the field when making its decisions about peacekeeping mandates. The Council also underlines the importance of an improved system of consultations among these actors, in order to promote a common understanding of the situation on the ground, of the mandate of the mission and of its implementation. The Council welcomes practical suggestions to improve this relationship and underscores the useful role of its Working Group on Peacekeeping Operations.

"The Council reaffirms the recommendations made in its resolutions 1327 (2000) and 1353 (2001) and in the statements by its President of 3 May[66] and 4 November 1994,[67]

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[65] S/PRST/2011/17.

[66] S/PRST/1994/22.

[67] S/PRST/1994/62.

28 March 1996,[68] 31 January 2001,[69] 17 May 2004[70] and 5 August 2009[71] and the note by its President of 14 January 2002[72] and confirms its intention to strengthen further efforts to implement fully those recommendations.

"The Council recalls, in particular, the statement by its President of 4 November 1994 and its resolution 1353 (2001) and the decision contained therein to circulate an informal paper setting out the agenda, including issues to be covered, and drawing attention to the relevant background documentation to troop-contributing countries and police-contributing countries when they are invited to attend meetings with the Council or the Secretary-General. The Council requests that the Secretariat circulate to troop-contributing countries and police-contributing countries by the fifteenth day of each month notice of and invitations for the upcoming meetings of the Council with troop-contributing countries and police-contributing countries that are anticipated to take place during the following month on individual peacekeeping mission mandates. This routine notification mechanism shall not constrain the Council from convening additional special, emergency or short-notice meetings with troop-contributing countries and police-contributing countries as circumstances may make appropriate.

"The Council recognizes the need to improve its access to military advice, including from troop-contributing countries, and intends to pursue its work on mechanisms to that effect. The Council will continue to review the role of the Military Staff Committee. The Council recognizes the benefit of maintaining regular contact with mission senior leadership, including through an annual briefing by heads of military components. The Council would welcome similar briefings by heads of police components in order to improve understanding of operational challenges.

"The Council expresses its commitment to continuing to improve its consideration and reflection of early peacebuilding tasks in the mandates and composition of peacekeeping operations. In this context, the Council notes with appreciation the contribution that peacekeepers and peacekeeping missions make to early peacebuilding and recognizes the need to integrate mission expertise and experience into the development of peacebuilding strategies.

"The Council also recognizes the important work conducted by the Special Committee on Peacekeeping Operations and the Fifth Committee of the General Assembly.

"The Council commits to making progress on the issue of more meaningful engagement with troop-contributing countries and police-contributing countries and to reviewing progress in 2012."

At its 6740th meeting, on 26 March 2012, the Council considered the item entitled "United Nations peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, and Ms. Susana Malcorra, Under-Secretary-General for Field Support.

At its 6789th meeting, on 20 June 2012, the Council considered the item entitled "United Nations peacekeeping operations".

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[68] S/PRST/1996/13.

[69] S/PRST/2001/3.

[70] S/PRST/2004/16.

[71] S/PRST/2009/24.

[72] S/2002/56.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations; Lieutenant General Chander Prakash, Force Commander of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; Major General Paolo Serra, Force Commander and Head of Mission of the United Nations Interim Force in Lebanon; Major General Moses Bisong Obi, Force Commander of the United Nations Mission in South Sudan; and Major General Fernando Rodrigues Goulart, Force Commander of the United Nations Stabilization Mission in Haiti.

THE SITUATION BETWEEN IRAQ AND KUWAIT[73]

Decisions

On 20 January 2012, the President of the Security Council addressed the following letter to the Secretary-General:[74]

> "I have the honour to respond to your letter dated 18 January 2012,[75] in which you referred to Security Council resolution 1284 (1999), in which the mandate of the High-level Coordinator for missing Kuwaiti and third-country nationals and missing Kuwaiti property was established.
>
> "The members of the Council reiterate their continuing support for the important work of the High-level Coordinator.
>
> "I wish to inform you that the Council has decided to agree to your request that US$ 245,300 be earmarked from the fund balance of the escrow account created pursuant to Council resolution 1958 (2010) to finance the continuation of the activities of the High-level Coordinator and his support staff until 30 June 2012.
>
> "The Council requests a comprehensive report on progress made during the period of the present mandate of the High-level Coordinator by 30 June 2012."

On 25 July 2012, the President of the Security Council addressed the following letter to the Secretary-General:[76]

> "I have the honour to respond to your letter dated 20 July 2012,[77] in which you referred to paragraph 14 of Security Council resolution 1284 (1999), in which the mandate of the High-level Coordinator for missing Kuwaiti and third-country nationals and missing Kuwaiti property was established.
>
> "The members of the Council reiterate their continuing support for the important work of the High-level Coordinator.
>
> "I wish to inform you that the Council has decided to earmark US$ 235,530 from the operating reserves and the fund balance of the escrow account intended for administrative and operational costs to finance the continuation of the activities of the High-level Coordinator and his support staff until 31 December 2012."

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[73] Resolutions or decisions on this question were first adopted by the Security Council in 1990.

[74] S/2012/52.

[75] S/2012/51.

[76] S/2012/580.

[77] S/2012/579.

THE SITUATION IN LIBERIA[78]

Decisions

At its 6610th meeting, on 13 September 2011, the Security Council decided to invite the representative of Liberia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Liberia
>
> > "Twenty-third progress report of the Secretary-General on the United Nations Mission in Liberia (S/2011/497)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia, and Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of Jordan to the United Nations and Chair of the Liberia configuration of the Peacebuilding Commission.

At its 6619th meeting, on 16 September 2011, the Council decided to invite the representative of Liberia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Liberia
>
> > "Twenty-third progress report of the Secretary-General on the United Nations Mission in Liberia (S/2011/497)".

Resolution 2008 (2011)
of 16 September 2011

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509 (2003) of 19 September 2003, 1836 (2008) of 29 September 2008, 1885 (2009) of 15 September 2009, 1938 (2010) of 15 September 2010 and 1971 (2011) of 3 March 2011,

Welcoming the report of the Secretary-General of 5 August 2011,[79] and taking note of the recommendations contained therein,

Welcoming also the efforts of the Government of Liberia to further national reconciliation and economic recovery and to combat corruption and promote efficiency and good governance, in particular steps taken with regard to strengthening Government control over natural resources, noting with concern the slow progress on the important issue of land reform, and urging intensified efforts towards achieving progress on the transition of security responsibilities from the United Nations Mission in Liberia to the national authorities, particularly with regard to improving the capacity and capability of the Liberia National Police and on the consolidation of State authority throughout the territory,

Recognizing that lasting stability in Liberia and the subregion will require well-functioning and sustainable government institutions, including security and rule of law sectors,

Commending the assistance provided by both the Government of Liberia and the Liberian people to the refugees that have relocated temporarily in eastern Liberia,

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[78] Resolutions or decisions on this question were first adopted by the Security Council in 1991.

[79] S/2011/497.

Noting that the mandate of the Mission includes assisting the Government of Liberia to consolidate peace and stability with national institutions that are able to maintain security and stability independently of a peacekeeping mission and ensure the future stability of Liberia, recalling the transition benchmarks for the drawdown phase of the Mission, including core benchmarks on the Liberia National Police and the national security strategy, welcoming the progress achieved, and noting the need for accelerated progress in taking forward planning for the security transition, the process of which is expected to commence in mid-2012,

Stressing that the successful holding of timely, credible, inclusive and peaceful elections, in accordance with the Constitution and applicable international standards, is a key condition for the consolidation of democracy, national reconciliation and the restoration of a stable, peaceful and secure environment in which stabilization and socioeconomic development can progress in Liberia, and emphasizing the need to promote strong voter turnout and the participation of women in the electoral process,

Taking note of the recommendation of the Secretary-General to deploy a technical assessment mission to Liberia after the inauguration of the elected Government in 2012 that will develop detailed proposals for the next stages of the drawdown of the Mission, as well as for the handover of security responsibilities from the Mission to the national authorities,

Welcoming the contribution of the Peacebuilding Commission to security sector reform, the rule of law and national reconciliation, and noting that challenges still remain in these key areas,

Recognizing the significant challenges that remain across all sectors, including continuing problems with violent crime, and recognizing that the instability in Côte d'Ivoire continues to pose cross-border security challenges for Liberia and Côte d'Ivoire,

Noting with concern the threats to subregional stability, including to Liberia, in particular those posed by illicit drug trafficking, organized crime and illicit arms,

Commending the work of the Mission, under the leadership of the Special Representative of the Secretary-General for Liberia, for its continuing and significant contribution to maintaining peace and stability in Liberia, and noting with satisfaction the close cooperation between the Mission and the United Nations Operation in Côte d'Ivoire, as well as the neighbouring Governments, in coordinating security activities in the border areas in the subregion,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Mission, under close review, and reiterating the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing its appreciation for the continuing support of the international community, the Economic Community of West African States and the African Union,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, concerned about the high incidence of sexual and gender-based violence, welcoming the continuing efforts of the Mission and the Government of Liberia to promote and protect the rights of civilians, in particular women and children, and reaffirming the importance of appropriate gender expertise and training in missions mandated by the Council,

Encouraging the efforts to ensure adequate human rights presence, capacity and expertise within the Mission to carry out human rights promotion, protection and monitoring activities,

Expressing its appreciation for the contribution of military personnel of the Mission to the provision of security for the Special Court for Sierra Leone, which concluded on 7 March 2011, in accordance with resolution 1971 (2011),

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region, *Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 30 September 2012;

2. *Reiterates* its authorization to the Mission to continue to assist the Government of Liberia, as requested, with the 2011 general presidential and legislative elections, by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections;

3. *Recognizes* the primary responsibility of the Government of Liberia and other national actors to create propitious conditions for the forthcoming elections, and in that regard urges the Government, political parties and their constituents, as well as all Liberian people, to help to ensure an environment conducive to a timely, credible, inclusive and peaceful electoral process, which includes free and constructive political debate, calls upon the Liberian actors to ensure that any outstanding issues regarding the electoral framework are finalized and ensure secure conditions for the conduct of and unrestricted access to the polls, including through cooperation with the Mission, consistent with the role of the Mission with regard to the protection of civilians, and calls upon all parties to respect the results of the polls;

4. *Recalls* its endorsement of the recommendation of the Secretary-General that the conduct of free, fair and peaceful elections be a core benchmark for the future drawdown of the Mission;

5. *Encourages* the Government of Liberia and the Mission to continue to make progress in the transition planning process, particularly in addressing critical gaps that need to be filled in order to facilitate a successful transition, and requests that the Secretary-General deploy a technical assessment mission to Liberia after the inauguration of the elected Government in 2012 that should focus on the security transition and also develop detailed proposals for the next stages of the drawdown of the Mission, based on a thorough review of progress made towards the transition benchmarks, with a view to providing timelines and recommendations for the further reduction of the military component of the Mission;

6. *Reaffirms* the inter-mission cooperation arrangements provided for in resolution 1609 (2005) of 24 June 2005, as needed and on a temporary basis, between the Mission and the United Nations Operation in Côte d'Ivoire, and calls upon troop-contributing countries to support the efforts of the Secretary-General in this regard;

7. *Emphasizes* the need for the Mission and the United Nations Operation in Côte d'Ivoire to regularly coordinate their strategies and operations in areas near the Liberian-Côte d'Ivoire border, in order to contribute to subregional security and to prevent armed groups from exploiting the seam of political boundaries, and requests the Secretary-General to report on them to the Security Council and troop-contributing countries;

8. *Also emphasizes* the need for the donor community to support the Government of Liberia, as well as the United Nations and other humanitarian actors, as appropriate, in their response to the current influx of Ivorian refugees;

9. *Further emphasizes* the need for coherence between, and integration of, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations, requests that the Secretary-General continue to coordinate and collaborate with the Peacebuilding Commission, and encourages the Commission, following close consultation with the Government of Liberia, to continue to report on the findings of its missions and its recommendations on how it can accelerate progress first and foremost on security sector reform, the rule of law and national reconciliation;

10. *Underscores* the importance of the military concept of operations and rules of engagement being regularly updated and fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Council and troop-contributing countries;

11. *Calls upon* the Government of Liberia, in coordination with the Mission, the United Nations country team and international partners, to continue to develop national security and rule of law institutions that are fully and independently operational, and to this end continues to encourage coordinated progress on the implementation of all security and justice development plans;

12. *Encourages* the Economic Community of West African States to develop, with the support of the United Nations Office for West Africa, a subregional strategy to address the threat of the cross-border movements of armed groups and weapons as well as illicit trafficking, with the assistance of the Mission and the United Nations Operation in Côte d'Ivoire, as appropriate;

13. *Welcomes* the efforts of the Government of Liberia to combat sexual and gender-based violence and further encourages it, in coordination with the Mission, to continue to combat impunity for perpetrators of such crimes and to provide redress, support and protection to victims;

14. *Requests* the Mission to continue to support the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions, appointed and elected in Liberia, within existing resources;

15. *Requests* the Secretary-General to keep the Council regularly informed of the situation on the ground as Liberia enters this next critical phase and to provide by 30 April 2012 a report on the issues addressed in paragraphs 2, 5 and 7 above, including recommendations for appropriate action by the Council, and expresses its intention to consider these recommendations in a timely manner;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 6619th meeting.

Decisions

On 27 September 2011, the President of the Security Council addressed the following letter to the Secretary-General:[80]

> "I have the honour to inform you that your letter dated 15 September 2011 concerning the temporary inter-mission transfer between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia[81] has been brought to the attention of the members of the Security Council. In your letter you sought the advance approval of the Council for the arrangements described therein. I further have the honour to confirm that the Council grants such approval.
>
> "Your letter specifically contains the following recommendations: that the three armed attack helicopters concurrently redeployed from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire must return to Liberia by 30 September 2011 and should be focused on the border with Côte d'Ivoire, except during the elections period; that, beyond the Liberian elections, though still based in Liberia, the armed helicopters should continue to be used in the border areas in both Liberia and Côte d'Ivoire, and also in western Côte d'Ivoire; that the Council authorize the temporary transfer from the Operation to the Mission of one infantry company comprising 150 personnel, as well as three formed police unit platoons with supporting elements, totalling 100 personnel, from 1 October to 30 November 2011; and that the Council authorize the Operation to place an infantry company comprising 150 personnel, two special forces platoons totalling 80 personnel, and two military utility helicopters on standby in Côte d'Ivoire during the period from 1 October to 30 November 2011, which would be deployed to Liberia only if the situation requires and

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[80] S/2011/594.

[81] S/2011/577.

after the Special Representative of the Secretary-General for Liberia advises that the evolving situation requires such further reinforcement, upon which the Secretary-General will notify the Council.

"The Council recalls that, in its resolution 1609 (2005), it authorized the temporary redeployment of military and civilian police personnel between the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire, subject to certain conditions, including the agreement of the troop-contributing countries and, where relevant, the Governments concerned. In its resolution 2008 (2011), the Council reaffirmed that arrangement, called upon troop-contributing countries to support the efforts of the Secretary-General in this regard, and reaffirmed the need for the Mission and the Operation to regularly coordinate their strategies and operations to contribute to subregional security. The Council notes that, in your letter, you indicated that you are in the process of seeking the consent of the troop- and police-contributing countries concerned for the temporary redeployment you have recommended. Consistent with resolution 2008 (2011), in order to provide support for the upcoming presidential and legislative elections in Liberia and mindful of the need to support the ability of the Operation to carry out its mandate, notably with regard to the expected legislative elections in Côte d'Ivoire and the cross-border security challenges for both Côte d'Ivoire and Liberia, the Council concurs with the temporary inter-mission transfer described above, provided that you receive the consent indicated above.

"Finally, the Council notes your recommendation that options be kept open for the possible use of helicopters from the United Nations Mission in Liberia to address security challenges in Côte d'Ivoire, including Abidjan, and for the possible temporary relocation of the helicopters to the United Nations Operation in Côte d'Ivoire during the anticipated Ivorian legislative elections. The Council stands ready to respond appropriately to any such relocation request."

On 30 November 2011, the President of the Security Council addressed the following letter to the Secretary-General:[82]

"I have the honour to inform you that your letter dated 22 November 2011 concerning the inter-mission cooperation arrangements between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia in view of the upcoming legislative elections in Côte d'Ivoire[83] has been brought to the attention of the members of the Security Council. In your letter, you sought the approval of the Council for the arrangements described therein. I further have the honour to confirm that the Council grants such approval.

"Your letter specifically addresses the following:

"(i) That the Council authorize a temporary redeployment of the three Mi-24 armed helicopters and the two military utility helicopters, with the required 60 personnel, from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire, to be operational in Côte d'Ivoire as of 4 December and up to 31 December 2011 in order to enhance the capacity of the Operation to meet the necessary requirements during the upcoming electoral period;

"(ii) That the Council authorize a temporary transfer from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire of one infantry company, comprising 150 personnel, to be operational in Côte d'Ivoire as of 4 December and up to 31 December 2011, in order to reinforce the troops of the Operation in western Côte d'Ivoire; and

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[82] S/2011/747.

[83] S/2011/730.

"(iii) That the Council authorize a temporary transfer from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire of three formed police unit platoons with supporting elements, comprising 100 personnel, to be operational in Côte d'Ivoire as of 4 December and up to 31 December 2011, in order to reinforce the Operation in Abidjan.

"The Council recalls that, in its resolution 1609 (2005), it authorized the temporary redeployment of military and police personnel between the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire, subject to certain conditions, including the agreement of troop-contributing countries and, where relevant, the Governments concerned. In its resolution 2008 (2011), the Council reaffirmed that arrangement, called upon troop-contributing countries to support the efforts of the Secretary-General in that regard and reaffirmed the need for the Mission and the Operation to regularly coordinate their strategies and operations to contribute to subregional security.

"The Council notes that, in your letter, you indicated that you are in the process of seeking the consent of the concerned troop- and police-contributing countries for the temporary redeployment and transfers you have recommended. Consistent with the previous decisions of the Council and in order to provide support for the upcoming legislative elections in Côte d'Ivoire, the Council concurs with the temporary redeployment of the personnel and assets described above, so long as you receive agreement from troop and police contributors and other relevant Governments.

"Finally, the Council recalls the letter dated 27 September 2011 from its President,[80] in response to your letter dated 15 September 2011,[81] in which the Council noted your recommendation that options be kept open for the possible use of military helicopters from the United Nations Mission in Liberia to address security challenges in Côte d'Ivoire, including Abidjan, if provided with appropriate information, including the scope and duration of this temporary redeployment, as required by resolution 1609 (2005)."

At its 6684th meeting, on 14 December 2011, the Council decided to invite the representative of Liberia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Liberia".

Resolution 2025 (2011)
of 14 December 2011

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006 and other new legislation related to revenue transparency (the Liberia Extractive Industries Transparency Initiative Act) and resolution of land and tenure rights (the Community Rights Law with respect to Forest Lands and the Lands Commission Act),

Encouraging the Government of Liberia to reaffirm its commitment and redouble its efforts to ensure the effective implementation of the Kimberley Process Certification Scheme[84] in Liberia and to take all possible measures to prevent rough diamond smuggling,

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[84] See A/57/489

Also encouraging the Government of Liberia to improve its control over the gold sector and adopt the necessary legislation in this regard, and to focus its efforts on establishing effective governance of the gold production sector,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the Government of Liberia to establish its authority throughout the country, particularly in the regions producing diamonds, gold, timber and other natural resources, and border areas,

Taking note of the report of the Panel of Experts on Liberia,[85]

Underlining its determination to support the Government of Liberia in its efforts to meet the conditions of resolution 1521 (2003) of 22 December 2003, welcoming the engagement of the Peacebuilding Commission, and encouraging all stakeholders, including donors, to support the Government in its efforts,

Acknowledging the implementation of the guidelines of the Department of Peacekeeping Operations of the Secretariat on cooperation and information-sharing between the United Nations peacekeeping missions and the Security Council sanctions committee expert panels,

Commending the people of Liberia on the completion of their presidential election of 8 November 2011, which was free, fair and transparent, and further commending the successful organization by the National Elections Commission of the electoral process, in accordance with Liberian law,

Expressing concern about the violent events of 7 November 2011, and welcoming the establishment by the Government of Liberia of a special independent commission of inquiry to investigate the events and determine the facts and circumstances through independent and impartial proceedings that meet international standards, in order to hold accountable those responsible,

Calling upon all Liberian leaders to promote meaningful reconciliation and inclusive dialogue to consolidate peace and advance Liberia's democratic development,

Determining that, despite significant progress, the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* that the measures imposed by paragraph 1 of resolution 1532 (2004) of 12 March 2004 remain in force, notes with serious concern the lack of progress with regard to the implementation of the financial measures imposed by paragraph 1 of resolution 1532 (2004), and demands that the Government of Liberia make all necessary efforts to fulfil its obligations;

2. *Decides*, for a period of twelve months from the date of adoption of the present resolution:

(*a*) To renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003);

(*b*) To renew the measures on arms, previously imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006) of 13 June 2006, by paragraph 1 (*b*) of resolution 1731 (2006) of 20 December 2006, by paragraphs 3 to 6 of resolution 1903 (2009) of 17 December 2009 and by paragraph 3 of resolution 1961 (2010) of 17 December 2010;

(*c*) To review the measures in the present paragraph and in paragraph 1 above in the light of the progress achieved in the stabilization throughout the country and the holding of presidential and parliamentary elections, with a view to possibly modifying or lifting all or part of the measures of the sanctions regime, and decides that such a review shall be carried out at the end of the above-mentioned twelve-month period, with a midterm review no later than 30 April 2012;

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[85] See S/2011/757.

3. *Decides also* to review any of the above measures at the request of the Government of Liberia, once the Government reports to the Security Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met and provides the Council with information to justify its assessment;

4. *Directs* the Security Council Committee established pursuant to resolution 1521 (2003), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to, as necessary and without delay, update the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the guidelines of the Committee;

5. *Decides* to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution 1903 (2009) for a period of twelve months from the date of adoption of the present resolution to undertake the following tasks:

(*a*) To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(*b*) To assess the impact, effectiveness and continued need for the measures imposed by paragraph 1 of resolution 1532 (2004), including, in particular, with respect to the assets of former President Charles Taylor;

(*c*) To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

(*d*) Within the context of Liberia's evolving legal framework, to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Industries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations on how such natural resources could better contribute to the country's progress towards sustainable peace and stability;

(*e*) To cooperate actively with the Kimberley Process and to assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme;[84]

(*f*) To provide a midterm report to the Council, through the Committee, by 1 June 2012 and a final report to the Council, through the Committee, by 1 December 2012 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before those dates, especially on progress in the forest sector since the lifting of the measures imposed by paragraph 10 of resolution 1521 (2003) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution 1521 (2003) in April 2007;

(*g*) To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d'Ivoire re-established by paragraph 13 of resolution 1980 (2011) of 28 April 2011 and the Group of Experts on the Democratic Republic of the Congo re-established by paragraph 4 of resolution 2021 (2011) of 29 November 2011 with respect to natural resources;

(*h*) To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists;

6. *Requests* the Secretary-General to reappoint the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

7. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all aspects of its mandate;

8. *Recalls* that responsibility for controlling the circulation of small arms within the territory of Liberia and between Liberia and neighbouring States rests with the relevant governmental authorities in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, of 2006;

9. *Reaffirms* the need for the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire to regularly coordinate their strategies and operations in areas near the Liberian-Côte d'Ivoire border, in order to contribute to subregional security;

10. *Reiterates* the importance of the Mission's continuing assistance to the Government of Liberia, the Committee and the Panel of Experts, within its capabilities and areas of deployment and, without prejudice to its mandate, continuing to carry out its tasks set forth in previous resolutions, including resolution 1683 (2006);

11. *Urges* the Government of Liberia to complete implementation of the recommendations of the 2009 Kimberley Process review team to strengthen internal controls over diamond mining and exports;

12. *Encourages* the Kimberley Process to continue to cooperate with the Panel of Experts and to report on developments regarding implementation by Liberia of the Kimberley Process Certification Scheme;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6684th meeting.

Decisions

On 26 April 2012, the President of the Security Council addressed the following letter to the Secretary-General:[86]

> "I have the honour to inform you that your letter dated 18 April 2012 concerning your intention to appoint Ms. Karin Landgren, of Sweden, as your Special Representative for Liberia[87] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 18 May 2012, the President of the Security Council addressed the following letter to the Secretary-General:[88]

> "I have the honour to inform you that the members of the Security Council have agreed to send a mission to Liberia, Côte d'Ivoire and the Economic Community of West African States and Sierra Leone from 18 to 24 May 2012. The Liberia segment of the mission will be co-led by Ambassador Susan Rice of the United States of America and Ambassador Mohammed Loulichki of Morocco. The Côte d'Ivoire and Economic Community of West African States segment of the mission will be co-led by Ambassador Gérard Araud of France and Ambassador Kodjo Menan of Togo. The Sierra Leone segment of the mission will be co-led by Ambassador Mark Lyall Grant of the United Kingdom of Great Britain and Northern Ireland and Ambassador Baso Sangqu of South Africa. The members of the Council have agreed to the attached terms of reference for the mission (see annex).

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[86] S/2012/267.

[87] S/2012/266.

[88] S/2012/344.

"The composition of the mission is as follows:

"Azerbaijan (Ambassador Agshin Mehdiyev)

"China (Counsellor Tian Lin)

"Colombia (Ambassador Néstor Osorio)

"France (Ambassador Gérard Araud)

"Germany (Ambassador Peter Wittig)

"Guatemala (Ambassador Gert Rosenthal)

"India (Ambassador Hardeep Singh Puri)

"Morocco (Ambassador Mohammed Loulichki)

"Pakistan (Ambassador Raza Bashir Tarar)

"Portugal (Ambassador João Cabral)

"Russian Federation (Ambassador Nikita Zhukov)

"South Africa (Ambassador Baso Sangqu)

"Togo (Ambassador Kodjo Menan)

"United Kingdom of Great Britain and Northern Ireland (Ambassador Mark Lyall Grant)

"United States of America (Ambassador Susan Rice)

"I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Terms of reference for the Security Council mission to West Africa, from 18 to 24 May 2012

"Mission to Liberia

"*Co-led by Ambassador Susan Rice (United States of America) and Ambassador Mohammed Loulichki (Morocco)*

"1. To reaffirm the continued support of the Security Council for the Government and people of Liberia as they rebuild their country and strengthen the foundations of sustainable peace, constitutional democracy and economic development.

"2. To express support for the United Nations Mission in Liberia and its efforts to promote peace and security in Liberia.

"3. To review progress in the implementation of the mandate of the Mission and assess the appropriate timing and modalities for the drawdown of the Mission in the light of the report of the Secretary-General of 16 April 2012.[89]

"4. To assess the institutional operational capacity, growth potential and sustainability of the Liberia National Police and other national security institutions throughout the country, and assess progress made in determining the appropriate role for the Armed Forces of Liberia.

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[89] S/2012/230.

"5. To encourage the Government of Liberia to enhance its preparation of national security institutions to assume greater responsibility, particularly beyond Monrovia, and to develop the justice and corrections sectors, taking into account a phased reconfiguration of the Mission troop presence.

"6. To welcome and encourage further efforts of the Government of Liberia to promote national reconciliation, combat corruption and promote efficiency and good governance to consolidate peace.

"7. To encourage the Government of Liberia to address political divisions and to ensure an inclusive and representative Government.

"8. To assess security challenges and capability gaps along the Ivorian border, to assess and encourage the use of inter-mission cooperation between the United Nations Operation in Côte d'Ivoire and the Mission, to underline the need for continued attention to illicit weapons flows in the region and to explore methods to strengthen regional cooperation.

"9. To emphasize the importance of promoting and protecting the rights of civilians, in particular women and children, and assess progress in combating sexual and gender-based violence.

"10. To underline the support of the Council for civil society, including women's groups.

"11. To welcome and assess the performance of the contribution of the Peacebuilding Commission to security sector reform, the rule of law and national reconciliation.

"12. To encourage the Government of Liberia to develop the skills and job prospects of unskilled, unemployed, war-affected youths who lack livelihood opportunities.

"13. To underscore the need for full implementation of the Council sanctions regime on Liberia as long as the sanctions are in place.

"Mission to Côte d'Ivoire and the Economic Community of West African States

"Co-led by Ambassador Gérard Araud (France) and Ambassador Kodjo Menan (Togo)

"1. To welcome the progress towards restoring stability and peace since the end of the post-electoral crisis and reaffirm the continued support of the Security Council.

"2. To assess the progress made by the Government of Côte d'Ivoire with the assistance of the United Nations Operation in Côte d'Ivoire in stabilizing the security situation in Abidjan and the rest of the country.

"3. To assess the progress made in security sector reform and disarmament, demobilization and reintegration, to encourage the Government of Côte d'Ivoire, including through its recently created working group on security sector reform and disarmament, demobilization and reintegration, to develop and implement a comprehensive national plan and to encourage the assistance of the United Nations Operation in Côte d'Ivoire and the United Nations country team in this regard.

"4. To assess the security and humanitarian situation at the border areas, especially the border with Liberia, and to assess and encourage the use of the inter-mission cooperation between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia.

"5. To engage with the United Nations Operation in Côte d'Ivoire on its future, based on the recommendations contained in the special report of the Secretary-General on the Operation of 29 March 2012.[90]

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[90] S/2012/186.

"6. To welcome the holding of national parliamentary elections, to encourage the Government of Côte d'Ivoire to continue reaching out to the opposition and to encourage the opposition to engage constructively in political life.

"7. To call upon the Government of Côte d'Ivoire and all Ivorian actors to join their efforts to promote reconciliation at the national and local levels, to ensure inclusive governance, to fight impunity and ensure impartial justice and to review the progress made towards addressing the underlying causes of the Ivorian crisis.

"8. To encourage the Economic Community of West African States to develop, with the support of the United Nations Office for West Africa and other regional stakeholders, such as the Mano River Union, a subregional security strategy to address the threat of cross-border movements of armed groups and weapons as well as their impact on population movements with a view to contributing to the overall stabilization of Côte d'Ivoire in the long run.

"Meeting between the Security Council and the Economic Community of West African States in Abidjan, Côte d'Ivoire, on 21 May 2012

"1. To develop an effective partnership between the Security Council and the Economic Community of West African States on issues of common interest in the region, within the overarching framework of the partnership between the African Union Peace and Security Council and the United Nations Security Council.

"2. To assess the situation in Mali and to discuss further joint steps to continue supporting regional efforts to restore the constitutional order, to uphold the sovereignty, unity and territorial integrity of Mali, to combat the increased terrorist threat in the north of Mali and to address its main humanitarian requirements.

"3. To assess the situation in Guinea-Bissau and to discuss further joint steps to restore the constitutional order and to address critical priorities for the stability of the country, such as security sector reform, including the demobilization of the military and police, fighting impunity and drug trafficking.

"4. To assess the regional efforts to tackle the transnational threats in West Africa, such as drug trafficking, organized crime and armed robbery at sea, with the assistance of the United Nations, including the United Nations Office for West Africa and the United Nations Office on Drugs and Crime, and in coordination with other regional entities.

"Mission to Sierra Leone

"*Co-led by Ambassador Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland) and Ambassador Baso Sangqu (South Africa)*

"1. To reaffirm the support of the Security Council for continuing efforts of the national authorities and people of Sierra Leone to consolidate peace.

"2. To assess the progress achieved by the national authorities and people of Sierra Leone in peacebuilding in a number of areas, including national reconciliation, the promotion of gender equality and the preparations for national and local elections on 17 November 2012.

"3. To emphasize the importance of the upcoming elections for the consolidation of peace and security in Sierra Leone.

"4. To reiterate the call upon all political parties by the Council to engage constructively in an honest and open dialogue aimed at furthering national cohesion and to intensify their efforts to foster an environment that is conducive to the holding of peaceful, transparent, free and fair elections.

"5. To reiterate the calls upon the leadership of the political parties by the Council to undertake cross-party confidence-building measures, promote political participation and non-violence among their membership and ensure full adherence to due process of law, to the recommendations of the joint communiqué of 2 April 2009, which, inter alia, calls for the establishment of the Independent Police Complaints Committee to reinforce the neutrality and professionalism of the police, and to the code of conduct for political parties.

"6. To underscore the importance of the country's national authorities responding proportionately to threats to the security of all citizens in Sierra Leone and of maintaining a commitment to uphold human rights and applicable international law.

"7. To reiterate the call upon the Independent Media Commission by the Council to proactively monitor the media and to ensure compliance with the media code of conduct, and to reiterate the call by the Council on the national authorities to address the administrative and financial challenges facing the Sierra Leone Broadcasting Corporation.

"8. To reaffirm the support of the Council for the contribution of the United Nations Integrated Peacebuilding Office in Sierra Leone and the United Nations country team to the peacebuilding and development priorities of Sierra Leone, in particular through the integrated United Nations Joint Vision for Sierra Leone.

"9. To emphasize the important role of regional organizations such as the African Union, the Economic Community of West African States and the Mano River Union, as well as the Sierra Leone configuration of the Peacebuilding Commission, in supporting Sierra Leone to achieve its peacebuilding, security and long-term development goals.

"10. To assess the work of the Transnational Organized Crime Unit and to reiterate the calls upon the authorities of Sierra Leone by the Council to work with the country's neighbours and regional partners to intensify their joint efforts to consolidate regional peace and security, including by tackling the challenges posed by drug trafficking and organized crime."

THE SITUATION IN SOMALIA[91]

Decisions

At its 6599th meeting, on 10 August 2011, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia, and Ms. Catherine Bragg, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator.

At its 6614th meeting, on 14 September 2011, the Council decided to invite the representative of Somalia (Prime Minister), to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on Somalia (S/2011/549)".

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[91] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Boubacar Gaoussou Diarra, Special Representative of the Chairperson of the African Union Commission for Somalia, and Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

On 29 September 2011, the President of the Security Council addressed the following letter to the Secretary-General:[92]

"The members of the Security Council thank you for your letter dated 21 September 2011,[93] in which you provided more information about the inclusion of some additional requirements for the African Union Mission in Somalia in the United Nations support package. Having consulted the members of the Council, I am pleased to inform you that, with the following understanding, they have decided, on an exceptional basis and owing to the unique character of the Mission, to extend the logistical support package for the Mission for a maximum of 12,000 troops to include the following elements:

"(*a*) Catering equipment and training to ensure the safe preparation of rations;

"(*b*) Additional VHF/UHF, HF, telephone and TETRA communications;

"(*c*) Sanitary and cleaning materials;

"(*d*) Furniture and stationery.

"The members of the Council have also taken note of your proposal concerning the establishment of a guard force. This matter will be addressed in the context of the renewal of resolution 1964 (2010)."

At its 6626th meeting, on 30 September 2011, the Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on Somalia (S/2011/549)

"Letter dated 21 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/591)".

Resolution 2010 (2011)
of 30 September 2011

The Security Council,

Recalling all its previous resolutions and the statements by its President concerning the situation in Somalia, the protection of civilians in armed conflict, women and peace and security, and children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

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[92] S/2011/602

[93] S/2011/591

Reiterating its full support for the Djibouti peace process and the Transitional Federal Charter, which provide the framework for reaching a lasting political solution in Somalia, recognizing the need to promote reconciliation and dialogue among the Somali population, and stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all,

Reaffirming its support for the Transitional Federal Government in its role as part of the Djibouti peace process, stressing the primary responsibility of the transitional federal institutions to work in a cohesive and united manner and to intensify their efforts to complete the transitional tasks set out in the Djibouti Agreement and the Transitional Federal Charter, and calling upon the transitional federal institutions to coordinate closely with other Somali groups, including local and regional administrations,

Reiterating its emphasis on the need for a comprehensive strategy to encourage the establishment of peace and security in Somalia through the collaborative effort of all stakeholders,

Commending the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, as well as the Special Representative of the Chairperson of the African Union Commission for Somalia, Mr. Boubacar Gaoussou Diarra, and reaffirming its strong support for their efforts,

Welcoming the work of former President Jerry Rawlings as the African Union High Representative for Somalia,

Recalling the signing of the Kampala Accord on 9 June 2011, noting the decision to defer elections of the President and the Speaker and his deputies for twelve months until 20 August 2012 under the terms of the Accord, and strongly urging the signatories to honour their obligations,

Welcoming the agreement of a road map, facilitated by the Special Representative of the Secretary-General, Mr. Mahiga, at the consultative meeting held in Mogadishu from 4 to 6 September 2011, that sets out key tasks and priorities to be delivered by the transitional federal institutions over the next twelve months, with clear timelines, benchmarks and compliance mechanisms, urging the transitional federal institutions, as holding the primary responsibility for implementing the road map, and the other signatories, to adhere to their commitments in the road map, and noting that future support for the transitional federal institutions will be contingent upon completion of these tasks,

Recognizing that peace and stability in Somalia depend on reconciliation and effective governance across the whole of Somalia, and urging all Somali parties to renounce violence and to work together to build peace and stability,

Urging the transitional federal institutions to increase their transparency and combat corruption to increase their legitimacy and credibility, and to enable continued support from the international community,

Expressing grave concern at the dire and worsening humanitarian situation in Somalia and the impact of the drought and famine on the people of Somalia, in particular women and children, calling upon all parties, in accordance with international humanitarian law, to allow for safe and unhindered access to humanitarian agencies at this critical time, and underscoring the importance of upholding the principles of neutrality, impartiality, humanity and independence in the provision of humanitarian assistance,

Strongly condemning the targeting, obstruction or prevention of the delivery of humanitarian aid in Somalia by any parties, especially armed groups, and deploring any attacks on humanitarian personnel,

Expressing serious concern that the United Nations consolidated appeal for Somalia is not fully funded, stressing the need for urgent mobilization of resources to those in need, and calling upon all Member States to contribute to current and future consolidated humanitarian appeals, *Commending* the contribution of the African Union Mission in Somalia to lasting peace and stability in Somalia, recognizing the significant sacrifices made by these forces, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Uganda and Burundi, and calling upon other States members of the African Union to consider contributing troops to the Mission,

Reiterating its serious concern at the continued fighting in Somalia and its impact on the civilian population, condemning all attacks, including terrorist attacks on the Transitional Federal Government, the Mission and the civilian population by armed opposition groups and foreign fighters, particularly Al-Shabaab, and stressing the terrorist threat that Somali armed opposition groups and foreign fighters, particularly Al-Shabaab, constitute for Somalia and for the international community,

Welcoming recent improvements in the security situation in Mogadishu, commending the efforts of the Mission and the Somali security forces, encouraging them to consolidate these gains, and urging the transitional federal institutions to capitalize upon the improved security situation by promptly facilitating agreement on and the implementation of a stabilization plan for Mogadishu and by facilitating the delivery of basic services and providing good governance to all of its citizens,

Calling upon the Transitional Federal Government to remain united and redouble its efforts to complete the priority tasks and goals agreed on in the road map paving the ground for a better future for Somalis, including their economic and social development and the realization of their human rights, while recognizing the need for the cooperation and support of the international community to the Transitional Federal Government and local and regional administrations in this regard,

Reaffirming the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability and security of Somalia, expressing its support for the ongoing European Union Training Mission for Somalia, emphasizing the importance of coordinated, timely and sustained support from the international community, and encouraging the Somali security forces to demonstrate their effectiveness by working with the African Union Mission in Somalia to consolidate security throughout Mogadishu,

Commending Member States and organizations which have made contributions in support of the Mission and Somalia, encouraging the international community to mobilize additional funding as appropriate, recognizing the importance of timely and predictable funding, and stressing the need for effective coordination among donors, the United Nations and the African Union,

Recalling its resolutions 1950 (2010) of 23 November 2010 and 1976 (2011) of 11 April 2011, expressing its grave concern at the threat posed by piracy and armed robbery at sea off the coast of Somalia, recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and hostage-taking, stressing the need for a comprehensive response to tackle piracy, including the need to investigate and prosecute those who illicitly finance, plan, organize or unlawfully profit from pirate attacks, and its underlying causes by the international community and the transitional federal institutions, and welcoming the efforts of the Contact Group on Piracy off the Coast of Somalia, States and international and regional organizations,

Welcoming the report of the Secretary-General of 30 August 2011[94] and the recommendations contained therein for continued action on the political, security and recovery tracks by the transitional federal institutions with the support of the international community,

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[94] S/2011/549

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the States members of the African Union to maintain the deployment until 31 October 2012 of the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007) of 20 August 2007, and requests the African Union to urgently increase its force strength to its mandated level of 12,000 uniformed personnel, thereby enhancing its ability to carry out its mandate;

2. *Calls upon* the transitional federal institutions to abide by the terms of the road map of key tasks and priorities to be delivered by the transitional federal institutions over the next twelve months, with clear timelines, benchmarks and compliance mechanisms, notes that the future support of the Security Council to the transitional federal institutions will be contingent upon the completion of these tasks, and requests the Secretary-General to provide an update on progress made by the transitional federal institutions against the road map in his reports to the Council;

3. *Notes* the recommendations on Somalia made by the Peace and Security Council of the African Union on 13 September 2011,[95] and underlines its intention to keep the situation on the ground under review and to take into account in its future decisions on the Mission progress by the transitional federal institutions in completing the key tasks as set out in the road map referred to in paragraph 2 above;

4. *Welcomes* the steps taken by the United Nations Political Office for Somalia and other United Nations offices and agencies, including the United Nations Support Office for the African Union Mission in Somalia, to increase the presence of the United Nations organizations and their staff in Somalia as an important element of the effective fulfilment of their mandate, and urges the establishment of a more permanent and increasing presence by the United Nations in Somalia, in particular in Mogadishu, consistent with the security conditions, as outlined in the reports of the Secretary-General of 16 April 2009[96] and 9 September 2010;[97]

5. *Recalling* the report of 13 September 2011 of the Chairperson of the African Union Commission[95] and the report of the Secretary-General of 30 August 2011,[94] agrees that an increase in United Nations organizations and their staff and other official international visitors in Mogadishu is placing additional pressure on the Mission to provide security, escort and protection services, encourages the United Nations to work with the African Union to develop a guard force of an appropriate size, within the mandated troop levels of the Mission, to provide security, escort and protection services to personnel from the international community, including the United Nations, and expresses its intention to review and consider thoroughly the possible need to adjust the mandated troop levels of the Mission when it reaches its current mandated level of 12,000 troops;

6. *Requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning and deployment of the Mission, through the United Nations Office to the African Union, including on the concept of operations of the Mission;

7. *Welcomes* the progress made by the Mission in reducing civilian casualties during its operations, and urges the Mission to continue to undertake its efforts to prevent civilian casualties and to develop an effective approach to the protection of civilians as requested by the Peace and Security Council;

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[95] See S/2011/586.

[96] S/2009/210.

[97] S/2010/447.

8. *Requests* the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, in particular the implementation of an effective chain of command and control of the Somali security forces, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia;

9. *Notes* the important role that an effective police presence can play in the stabilization of Mogadishu, stresses the need to continue to develop an effective Somali police force, and welcomes the desire of the African Union to develop a police component within the Mission;

10. *Requests* the Secretary-General to continue to provide a logistical support package for the Mission, called for in resolution 1863 (2009) of 16 January 2009, for a maximum of 12,000 uniformed Mission personnel, including the guard force referred to in paragraph 5 above, comprising equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Security Council,[98] until 31 October 2012, ensuring the accountability and transparency of expenditure of United Nations funds as set out in paragraph 6 of resolution 1910 (2010) of 28 January 2010;

11. *Decides*, on an exceptional basis and owing to the unique character of the Mission, to extend the logistical support package for the Mission for a maximum of 12,000 troops as described in the exchange of letters between the Secretary-General and the President of the Security Council of 21 and 29 September 2011[91,92] while continuing to ensure maximum efficiency and engagement of relevant bilateral support;

12. *Considers* that counter-improvised explosive device and explosive ordnance disposal activities, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Security Council, may be provided through the logistical support package, while continuing to ensure maximum efficiency and engagement of relevant bilateral support;

13. *Recalls* its statement of intent regarding the establishment of a United Nations peacekeeping operation, as expressed in resolution 1863 (2009), notes that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the reports of the Secretary-General of 16 April 2009 and 30 December 2010,[99] and requests the Secretary-General to take the steps identified in paragraphs 82 to 86 of his report of 16 April 2009, subject to the conditions in this report;

14. *Reiterates its call* to Member States and regional and international organizations to support the Mission through the provision of equipment, technical assistance and funding without caveats to the United Nations trust fund for the African Union Mission in Somalia, or to make direct bilateral donations in support of the Mission, including for the urgent need for the reimbursement of contingent-owned equipment, and for the provision of compassionate flights for Mission troops, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided;

15. *Emphasizes* that, in order to ensure Somalia's long-term security, effective development of Somali security forces is needed, and reiterates its call to Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Somali security institutions and to offer assistance to the Somali security forces, including through training, technical assistance and equipment in coordination with the Mission, consistent with paragraphs 11 (*b*) and 12 of resolution 1772 (2007);

16. *Requests* the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force

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[98] S/2009/60.

[99] S/2010/675.

and the National Security Force, and to continue to support the Transitional Federal Government in developing a Somali-owned national security strategy which reflects respect for the rule of law and the protection of human rights, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms;

17. *Reaffirms* that the measures imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992 and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 shall not apply to supplies and technical assistance provided in accordance with paragraphs 11 (*b*) and 12 of resolution 1772 (2007) to the Transitional Federal Government for the purposes of the development of its security sector institutions, consistent with the Djibouti peace process and subject to the notification procedure set out in paragraph 12 of resolution 1772 (2007);

18. *Reiterates its call upon* all Somali parties to support the Djibouti Agreement, and calls for the end of all hostilities, acts of armed confrontation and efforts to undermine stability in Somalia and the Transitional Federal Government;

19. *Requests* the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community, including, as appropriate, support to reconciliation and peace efforts at the local level;

20. *Notes* the important role that regional administrations and civil society can play in the political process, and encourages intensified dialogue and political outreach with these groups by the transitional federal institutions;

21. *Encourages* the international community to provide, as part of the continuing support to Somalia, further support to peacebuilding, capacity-building and good governance efforts in areas of relative stability within Somalia, including, but not limited to, Somaliland and Puntland;

22. *Condemns* all attacks against civilians in Somalia, calls for the immediate cessation of all acts of violence, including sexual and gender-based violence, or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, and stresses the responsibility of all parties in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate attacks or excessive use of force;

23. *Expresses serious concern* about the reports of continuing human rights violations in Somalia, and stresses the importance of investigating these alleged human rights violations and bringing those responsible to justice;

24. *Recalls* the conclusions on children and armed conflict in Somalia endorsed by the Security Council Working Group on Children and Armed Conflict,[100] calls upon all parties to end grave violations and abuses committed against children in Somalia, urges the Transitional Federal Government to develop and implement a concrete time-bound action plan to halt the recruitment and use of children, requests the Secretary-General to continue his dialogue with the Transitional Federal Government in this regard, and reiterates its request to the Secretary-General to strengthen the child protection component of the United Nations Political Office for Somalia and to ensure continued monitoring and reporting of the situation of children in Somalia;

25. *Expresses serious concern* about increasing reports of conflict-related sexual violence in Somalia, calls upon all parties to cease such violations and abuses, and requests the Secretary-General to implement the relevant provisions of resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010, including the strengthening of the women's protection component of the United Nations Political Office for Somalia;

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[100] S/AC.51/2011/2.

26. *Demands* that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia;

27. *Requests* the Secretary-General, through his Special Representative for Somalia and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia taking into account the recommendations contained in his report of 31 December 2009,[101] and stresses the importance that the United Nations Political Office for Somalia and other United Nations offices and agencies work transparently and coordinate with the international community;

28. *Requests* the strengthening of cooperation among the Intergovernmental Authority on Development, the African Union and the United Nations to allow for an appropriate division of responsibilities in Somalia in an effort to reduce duplication of effort and ensure proper utilization of resources, and to include updates on this topic in the regular reports of the Secretary-General on Somalia;

29. *Requests* the Secretary-General to report on all aspects of the present resolution every four months, and expresses its intention to review the situation, as part of his reporting obligations, as specified in the statement by its President of 31 October 2001[102] and its resolutions 1863 (2009), 1872 (2009) of 26 May 2009, 1910 (2010) and 1964 (2010) of 22 December 2010;

30. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6626th meeting.

Decision

At its 6635th meeting, on 24 October 2011, the Security Council decided to invite the representatives of Denmark, Greece, Italy, Norway, Spain and Ukraine to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Somalia".

Resolution 2015 (2011)
of 24 October 2011

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1918 (2010) of 27 April 2010 and 1976 (2011) of 11 April 2011,

Continuing to be gravely concerned by the growing threat that piracy and armed robbery at sea against vessels off the coast of Somalia pose to the situation in Somalia, States in the region and other States, as well as to international navigation, the safety of commercial maritime routes and the safety of seafarers and other persons, and also gravely concerned by the increased level of violence employed by pirates and persons involved in armed robbery at sea off the coast of Somalia,

Emphasizing the importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea off the coast of Somalia,

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[101] S/2009/684.

[102] S/PRST/2001/30.

Stressing the need to build Somalia's potential for sustainable economic growth as a means to tackle the underlying causes of piracy, including poverty, thus contributing to a durable eradication of piracy and armed robbery at sea off the coast of Somalia and illegal activities connected therewith,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[103] in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Reaffirming also that the provisions of the present resolution apply only with respect to the situation in Somalia and do not affect the rights and obligations or responsibilities of Member States under international law,

Bearing in mind the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct),[104] and recognizing the commitment of signatory States to review their national legislation with a view to ensuring that national laws to criminalize piracy and armed robbery against ships, and adequate guidelines for the exercise of jurisdiction, the conduct of investigations and prosecutions of alleged offenders, are in place,

Commending those States that have amended their domestic law in order to criminalize piracy and facilitate the prosecution of suspected pirates in their national courts consistent with applicable international law, including human rights law, and stressing the need for States to continue their efforts in this regard,

Noting with concern, at the same time, that the domestic law of a number of States lacks provisions criminalizing piracy and/or procedural provisions for effective criminal prosecution of suspected pirates,

Reaffirming the importance of national prosecution of suspected pirates for combating piracy off the coast of Somalia,

Strongly condemning the continuing practice of hostage-taking by suspected pirates operating off the coast of Somalia, expressing serious concern at the inhuman conditions that hostages face in captivity, recognizing the adverse impact on their families, calling for the immediate release of all hostages, and noting the importance of cooperation between Member States on the issue of hostage-taking and the need for the prosecution of suspected pirates for taking hostages,

Recognizing that, despite the efforts to date by States to prosecute suspected pirates at the national level, the ongoing work in this regard is still insufficient and that more must be done to ensure that suspected pirates are effectively brought to justice,

Reiterating its concern over a large number of persons suspected of piracy having to be released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts of the international community, and being determined to create conditions to ensure that pirates are held accountable,

Noting with interest the conclusion in the report of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts[105] that, assuming that sufficient international assistance is provided, piracy trials being conducted by courts in Somaliland and Puntland are expected to reach international standards in about three years, and expressing its hope, consistent with the mentioned report of the Secretary-General, that this timeline will be accelerated if suitable experts, including those from the Somali diaspora, can be identified and recruited,

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[103] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[104] See International Maritime Organization, document C 102/14, annex, attachment 1.

[105] S/2011/360.

Welcoming the consultations between the United Nations and regional States, including Seychelles, Mauritius and the United Republic of Tanzania, and the willingness expressed by the United Republic of Tanzania to assist the international community, under the right conditions, to prosecute suspected pirates in its territory,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

1. *Reaffirms* that the ultimate goal of enhancing Somali responsibility and active involvement in efforts to prosecute suspected pirates, as emphasized by the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia in his report transmitted to the Security Council on 19 January 2011,[106] remains highly relevant in the overall context of fighting piracy;

2. *Recognizes* the primary role of the Transitional Federal Government and the relevant Somali regional authorities in eradicating piracy off the coast of Somalia;

3. *Welcomes* in this regard the fact that the Somalia end-of-transition road map of 6 September 2011 includes developing counter-piracy policy and legislation in conjunction with regional entities as a key task of the transitional federal institutions, and notes that the Security Council has made its future support to the transitional federal institutions contingent upon the completion of the tasks contained in the road map;

4. *Takes note with appreciation* of the report of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts prepared pursuant to paragraph 26 of resolution 1976 (2011);[105]

5. *Reiterates its call upon* all States, and in particular flag, port and coastal States, States of the nationality of victims as well as of perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy, consistent with applicable international law, including human rights law;

6. *Calls upon* States to cooperate also, as appropriate, on the prosecution of suspected pirates for taking hostages;

7. *Reiterates its request*, as a matter of urgency, to the Transitional Federal Government and relevant Somali regional authorities to elaborate, with the assistance of the United Nations Office on Drugs and Crime and the United Nations Development Programme, and adopt a complete set of counter-piracy laws, including laws to prosecute those who illicitly finance, plan, organize, facilitate or profit from pirate attacks, with a view to ensuring the effective prosecution of suspected pirates and those associated with piracy attacks in Somalia, the post-conviction transfer of pirates prosecuted elsewhere to Somalia and the imprisonment of convicted pirates in Somalia, as soon as possible, and strongly urges the Transitional Federal Government and regional authorities of Somalia to expeditiously address any other existing obstacles that impede progress in this regard, and requests the Transitional Federal Government and relevant regional authorities of Somalia to provide a report to the Council by 31 December 2011 on action taken in each of the areas above;

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[106] S/2011/30, annex.

8. *Calls upon* the United Nations Office on Drugs and Crime, the United Nations Development Programme and other international partners to further their efforts to support the development of domestic legislation, agreements and mechanisms that would allow the effective prosecution of suspected pirates and the transfer and imprisonment of convicted pirates;

9. *Strongly urges* States that have not already done so to criminalize piracy under their domestic law, and reiterates its call upon States to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international law, including international human rights law;

10. *Urges* States and international organizations to share evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates;

11. *Calls upon* all Member States to report, no later than 31 December 2011, to the Secretary-General on measures they have taken to criminalize piracy under their domestic law and to prosecute and support the prosecution of individuals suspected of piracy off the coast of Somalia and the imprisonment of convicted pirates, and requests the Secretary-General to compile this information and to circulate this compilation as a document of the Council;

12. *Commends* the ongoing work of the United Nations Office on Drugs and Crime and the United Nations Development Programme, as described in the report of the Secretary-General, in supporting counter-piracy trials and increased prison capacity in Somalia, consistent with the recommendation of the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia;

13. *Reaffirms* that the efforts to promote effective judicial mechanisms to prosecute suspected pirates should be continued and intensified;

14. *Welcomes* the undertaking of the Secretary-General, in connection with his report, to further proactively assist, at the request of the Council, in the taking of appropriate next steps aimed at further enhancing counter-piracy prosecution efforts;

15. *Requests* States and regional organizations to consider possible ways to seek and allow for the effective contribution of the Somali diaspora to anti-piracy efforts, in particular in the area of prosecution, as advised in the report of the Secretary-General;

16. *Decides* to continue its consideration, as a matter of urgency, without prejudice to any further steps to ensure that pirates are held accountable, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support, and requests that the Secretary-General, in conjunction with the United Nations Office on Drugs and Crime and the United Nations Development Programme, further consult with Somalia and regional States willing to establish such anti-piracy courts on the kind of international assistance, including the provision of international personnel, that would be required to help to make such courts operational; the procedural arrangements required for the transfer of apprehended pirates and related evidence; the projected case capacity of such courts; and the projected timeline and costs for such courts, and to provide to the Council in the light of such consultations within ninety days detailed implementation proposals for the establishment of such courts, as appropriate;

17. *Underlines* the importance for such courts to have jurisdiction to be exercised over not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate or finance and profit from such attacks;

18. *Recognizes* that any increase in prosecution capacity must necessarily be accompanied by a related increase in prison capacity, and calls upon both Somali authorities, the United Nations Office on Drugs and Crime, the United Nations Development Programme and other international partners to support the construction and responsible operation of prisons in Somalia in accordance with international law;

19. *Calls upon* Member States, regional organizations and other appropriate partners to support efforts to establish specialized anti-piracy courts in the region by making or facilitating arrangements for the provision of international experts, including those from the Somali diaspora, through secondment or otherwise, and to otherwise support the work of the United Nations Office on Drugs and Crime, the United Nations Development Programme or others in this regard through contributions to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia;

20. *Decides* to remain seized of the matter.

Adopted unanimously at the 6635th meeting.

Decisions

At its 6646th meeting, on 31 October 2011, the Security Council considered the item entitled:

"The situation in Somalia

> "Report of the Secretary-General on the protection of Somali natural resources and waters (S/2011/661)
>
> "Report of the Secretary-General pursuant to Security Council resolution 1950 (2010) (S/2011/662)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs.

At its 6663rd meeting, on 22 November 2011, the Council decided to invite the representative of Norway to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Somalia".

Resolution 2020 (2011)
of 22 November 2011

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008) of 15 May 2008, 1816 (2008) of 2 June 2008, 1838 (2008) of 7 October 2008, 1844 (2008) of 20 November 2008, 1846 (2008) of 2 December 2008, 1851 (2008) of 16 December 2008, 1897 (2009) of 30 November 2009, 1918 (2010) of 27 April 2010, 1950 (2010) of 23 November 2010, 1976 (2011) of 11 April 2011 and 2015 (2011) of 24 October 2011, as well as the statement by its President of 25 August 2010,[107]

Continuing to be gravely concerned by the ongoing threat that piracy and armed robbery at sea against vessels pose to the prompt, safe and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes and to other vulnerable ships, including fishing activities in conformity with international law, and also gravely concerned by the extended range of the piracy threat into the western Indian Ocean and adjacent sea areas and the increase in pirate capacities,

Expressing its concern about the reported involvement of children in piracy off the coast of Somalia,

Recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stressing the need for a comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes,

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[107] S/PRST/2010/16.

Recognizing also the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate or finance and profit from such attacks, and reiterating its concern over a large number of persons suspected of piracy having to be released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts of the international community, and being determined to create conditions to ensure that pirates are held accountable,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law, recalling the importance of preventing, in accordance with international law, illegal fishing and illegal dumping, including of toxic substances, stressing the need to investigate allegations of such illegal fishing and dumping, and taking note with appreciation in this respect of the report of the Secretary-General on the protection of Somali natural resources and waters prepared pursuant to paragraph 7 of Security Council resolution 1976 (2011),[108]

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[103] sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Again taking into account the crisis situation in Somalia and the limited capacity of the Transitional Federal Government to interdict or, upon interdiction, to prosecute pirates or to patrol or secure the waters off the coast of Somalia, including the international sea lanes and Somalia's territorial waters,

Noting the several requests of the Transitional Federal Government for international assistance to counter piracy off the coast of Somalia, including the letter dated 10 November 2011 from the Permanent Representative of Somalia to the United Nations expressing the appreciation of the Transitional Federal Government to the Security Council for its assistance, expressing the willingness of the Transitional Federal Government to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and requesting that the provisions of resolution 1897 (2009) be renewed for an additional twelve months,

Commending the efforts of the European Union operation Atalanta, the North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, the Combined Maritime Forces' Combined Task Force 151 and other States acting in a national capacity in cooperation with the Transitional Federal Government and each other to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia, and welcoming the efforts of individual countries, including China, India, Iran (Islamic Republic of), Japan, Malaysia, the Republic of Korea, the Russian Federation, Saudi Arabia and Yemen, which have deployed ships and/or aircraft in the region, as stated in the report of the Secretary-General,[109]

Welcoming the capacity-building efforts in the region made by the International Maritime Organization Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct),[104] the Djibouti Code Trust Fund and the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, and recognizing the need for all engaged international and regional organizations to cooperate fully,

Noting with appreciation the efforts made by the International Maritime Organization and the shipping industry to develop and update guidance, best management practices and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden and the Indian Ocean area, and recognizing the work of the International Maritime Organization and the Contact Group on Piracy off the Coast of Somalia on privately contracted armed security personnel on board ships in high-risk areas,

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[108] S/2011/661.

[109] S/2011/662.

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against the pirates off the coast of Somalia, and in some cases has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of the United Nations Convention on the Law of the Sea concerning the repression of piracy, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988[110] provides for parties to create criminal offences, establish jurisdiction and accept delivery of persons responsible for or suspected of seizing or exercising control over a ship by force or threat thereof or any other form of intimidation,

Underlining the importance of continuing to enhance the collection, preservation and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and welcoming the ongoing work of the International Maritime Organization, the International Criminal Police Organization (INTERPOL) and industry groups to develop guidance to seafarers on the preservation of crime scenes following acts of piracy, and noting the importance for the successful prosecution of acts of piracy of enabling seafarers to give evidence in criminal proceedings,

Noting the consensus at the ninth plenary session of the Contact Group on Piracy off the Coast of Somalia on 14 July 2011 to establish a formal Working Group 5 on illicit financial flows linked to piracy off the coast of Somalia,

Recognizing that pirates are turning increasingly to kidnapping and hostage-taking and that these activities help to generate funding to purchase weapons, gain recruits and continue their operational activities, thereby jeopardizing the safety and security of innocent civilians and restricting the flow of free commerce,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including acts condemned in the International Convention against the Taking of Hostages,[111] and strongly condemning the continuing practice of hostage-taking by suspected pirates operating off the coast of Somalia, expressing serious concern at the inhuman conditions that hostages face in captivity, recognizing the adverse impact on their families, calling for the immediate release of all hostages, and noting the importance of cooperation between Member States on the issue of hostage-taking and the need for the prosecution of suspected pirates for taking hostages,

Commending the efforts of Kenya and Seychelles to prosecute suspected pirates in their national courts, welcoming the engagement of Mauritius and the United Republic of Tanzania, and noting with appreciation the assistance being provided by the United Nations Office on Drugs and Crime, the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to support Kenya, Seychelles, Somalia and other States in the region, including Yemen, to take steps to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and emphasizing the need for States and international organizations to further enhance international efforts in this regard,

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[110] United Nations, *Treaty Series*, vol. 1678, No. 29004.

[111] Ibid., vol. 1316, No. 21931.

Welcoming the readiness of the national and regional administrations of Somalia to cooperate with each other and with States that have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law,

Welcoming also the report of the Secretary-General, as requested in resolution 1950 (2010), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,[104]

Taking note with appreciation of the report of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts prepared pursuant to paragraph 26 of resolution 1976 (2011),[105] and the ongoing efforts within the Contact Group on Piracy off the Coast of Somalia and the United Nations Secretariat to explore possible additional mechanisms to effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia, including those ashore who incite or intentionally facilitate acts of piracy,

Stressing the need for States to consider possible methods to assist the seafarers who are victims of pirates, and welcoming in this regard the ongoing work within the Contact Group on Piracy off the Coast of Somalia and the International Maritime Organization on developing guidelines for the care of seafarers and other persons who have been subjected to acts of piracy,

Noting with appreciation the ongoing efforts of the United Nations Office on Drugs and Crime and the United Nations Development Programme to support efforts to enhance the capacity of the corrections system in Somalia, including regional authorities, notably with the support of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct, and recognizing the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further emphasizing that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force, including the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy,

Welcoming in this regard the fact that the road map to end the transition in Somalia, of 6 September 2011, calls for the Transitional Federal Government to develop counter-piracy policy and legislation in conjunction with regional entities, and the declaration of an exclusive economic zone, as key tasks of the transitional federal institutions, and notes that the Security Council has made its future support to the transitional federal institutions contingent upon the completion of the tasks contained in the road map,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery against vessels in the waters off the coast of Somalia;

2. *Recognizes* that the ongoing instability in Somalia is one of the underlying causes of the problem of piracy and contributes to the problem of piracy and armed robbery at sea off the coast of Somalia;

3. *Stresses* the need for a comprehensive response to repress piracy and tackle its underlying causes by the international community;

4. *Recognizes* the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate or finance and profit from such attacks;

5. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage-taking, and the prosecution of suspected pirates for taking hostages;

6. *Notes again with concern* the findings contained in the report of the Monitoring Group on Somalia of 20 November 2008 that escalating ransom payments and the lack of enforcement of the arms embargo established by resolution 733 (1992) of 23 January 1992 are fuelling the growth of piracy off the coast of Somalia,[112] and calls upon all States to cooperate fully with the Monitoring Group on Somalia and Eritrea, including on information-sharing regarding possible arms embargo violations;

7. *Renews its call upon* States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

8. *Commends* the work of the Contact Group on Piracy off the Coast of Somalia to facilitate coordination in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, in cooperation with the International Maritime Organization, flag States and the Transitional Federal Government, and urges States and international organizations to continue to support these efforts;

9. *Encourages* Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, and decides to renew for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by paragraph 7 of resolution 1897 (2009) and paragraph 7 of resolution 1950 (2010), granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General;

10. *Affirms* that the authorizations renewed in the present resolution apply only with respect to the situation in Somalia and shall not affect the rights or obligations or responsibilities of Member States under international law, including any rights or obligations, under the United Nations Convention on the Law of the Sea,[103] with respect to any other situation, and underscores, in particular, that the present resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed only following the receipt of the letter dated 10 November 2011 conveying the consent of the Transitional Federal Government;

11. *Also affirms* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 do not apply to weapons and military equipment destined for the sole use of Member States and regional organizations taking measures in accordance with paragraph 9 above or to supplies of technical

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[112] See S/2008/769, enclosure, sect. VIII.C.

assistance to Somalia solely for the purposes set out in paragraph 6 of resolution 1950 (2010) which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (*b*) and 12 of resolution 1772 (2007) of 20 August 2007;

12. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 9 above do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

13. *Calls upon* Member States to assist Somalia, at the request of the Transitional Federal Government and with notification to the Secretary-General, to strengthen capacity in Somalia, including regional authorities, to bring to justice those who are using Somali territory to plan, facilitate or undertake criminal acts of piracy and armed robbery at sea, and stresses that any measures taken pursuant to the present paragraph shall be consistent with applicable international human rights law;

14. *Calls upon* all States, in particular flag, port and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery and other States with relevant jurisdiction under international law and national legislation to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy, consistent with applicable international law, including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under the present resolution;

15. *Also calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law;

16. *Reiterates* its decision to continue its consideration, as a matter of urgency, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support, as set forth in resolution 2015 (2011), and the importance of such courts having jurisdiction over not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate or finance and profit from such attacks, emphasizes the need for strengthened cooperation of States and regional and international organizations in holding such individuals accountable, and encourages the Contact Group on Piracy off the Coast of Somalia to continue its discussions in this regard;

17. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

18. *Urges* States, in cooperation with INTERPOL and the European Police Office (Europol), to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

19. *Commends* INTERPOL for the creation of a global piracy database designed to consolidate information about piracy off the coast of Somalia and facilitate the development of actionable analysis for law enforcement, and urges all States to share such information with INTERPOL for use in the database, through appropriate channels;

20. *Stresses*, in this context, the need to support the investigation and prosecution of those who illicitly finance, plan, organize or unlawfully profit from pirate attacks off the coast of Somalia;

21. *Urges* States and international organizations to share evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates;

22. *Commends* the establishment of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and the International Maritime Organization Djibouti Code Trust Fund, and urges both State and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

23. *Urges* States parties to the United Nations Convention on the Law of the Sea and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[110] to implement fully their relevant obligations under these Conventions and customary international law and to cooperate with the United Nations Office on Drugs and Crime, the International Maritime Organization, other States and other international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

24. *Urges* States individually or within the framework of competent international organizations to positively consider investigating allegations of illegal fishing and illegal dumping, including of toxic substances, with a view to prosecuting such offences when committed by persons under their jurisdiction; and takes note of the intention of the Secretary-General to include updates on these issues in his future reports relating to piracy off the coast of Somalia;

25. *Welcomes* the recommendations and guidance of the International Maritime Organization on preventing and suppressing piracy and armed robbery against ships, underlines the importance of implementation of such recommendations and guidance by all stakeholders, including the shipping industry, urges States, in collaboration with the shipping and insurance industries, and the International Maritime Organization to continue to develop and implement avoidance, evasion and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation, as appropriate, at the first port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

26. *Invites* the International Maritime Organization to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships in coordination, in particular, with the United Nations Office on Drugs and Crime, the World Food Programme, the shipping industry and all other parties concerned, and recognizes the role of the International Maritime Organization concerning privately contracted armed security personnel on board ships in high-risk areas;

27. *Notes* the importance of securing the safe delivery of World Food Programme assistance by sea, and welcomes the ongoing work of the World Food Programme, the European Union operation Atalanta and flag States with regard to vessel protection detachments on World Food Programme vessels;

28. *Requests* States and regional organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 9 above, and further requests all States contributing through the Contact Group on Piracy off the Coast of Somalia to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

29. *Requests* the Secretary-General to report to the Security Council within eleven months of the adoption of the present resolution on the implementation of the present resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

30. *Expresses its intention* to review the situation and to consider, as appropriate, renewing the authorizations provided in paragraph 9 above for additional periods upon the request of the Transitional Federal Government;

31. *Decides* to remain seized of the matter.

Adopted unanimously at the 6663rd meeting.

Decisions

At its 6681st meeting, on 13 December 2011, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on Somalia (S/2011/759)".

On 30 December 2011, the President of the Security Council addressed the following letter to the Secretary-General:[113]

> "I have the honour to inform you that your letter dated 29 December 2011 concerning your intention to let the United Nations Political Office for Somalia continue to carry out its tasks during the biennium 2012–2013[114] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6701st meeting, on 11 January 2012, the Council decided to invite the representatives of Burundi, Kenya (Minister for Foreign Affairs), Somalia and Uganda (Minister of Defence), to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Letter dated 9 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/19)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission.

At its 6718th meeting, on 22 February 2012, the Council considered the item entitled:

"The situation in Somalia

"Special report of the Secretary-General on Somalia (S/2012/74)".

Resolution 2036 (2012)
of 22 February 2012

The Security Council,

Recalling all its previous resolutions on the situation in Somalia, in particular resolution 2010 (2011) of 30 September 2011, as well as other relevant statements by its President and resolutions on the protection of civilians in armed conflict, women and peace and security, and children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, and reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti peace process and the Transitional Federal Charter, which provide the framework for reaching a lasting political solution in Somalia, reiterating its support for the Kampala Accord and the road map to end the transition ("the road map"), and stressing the need for reconciliation, dialogue and broad-based, inclusive and representative Somali institutions,

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[113] S/2011/803.

[114] S/2011/802.

Stressing the primary responsibility of the transitional federal institutions to implement the road map, welcoming the progress to date, including the commitment shown by the Garowe Principles, but expressing concern that many of the deadlines for the completion of the tasks in the road map have been missed, which may delay the full implementation of the road map,

Urging the transitional federal institutions and all road map signatories to redouble their efforts to fully implement the road map with the support of the United Nations Political Office for Somalia and the international community, and noting that future support to the transitional federal institutions for the remainder of the transitional period would be contingent upon progress in completing the tasks in the road map,

Stressing the need for the Transitional Federal Government, with the support of the African Union Mission in Somalia, and as a matter of urgency, to build an enhanced level of security in areas secured by the Mission and the Somali security forces, and to build sustainable administrative structures in these areas,

Noting that the transitional period in Somalia will end on 20 August 2012, emphasizing that any further extension of the transitional period would be untenable, and calling upon Somali parties to agree inclusive and representative post-transitional arrangements, in line with the Djibouti Agreement,

Stressing the need for further efforts to fight corruption, promote transparency and increase mutual accountability in Somalia, and in this regard welcoming initiatives aimed at the more transparent and accountable management of Somali assets and internal and external financial resources to maximize public revenues for the benefit of the Somali people,

Stressing also the need for a comprehensive strategy in Somalia to address the political, economic, humanitarian and security problems in Somalia and the problem of piracy, including hostage-taking, off the coast of Somalia through the collaborative efforts of all stakeholders, and reiterating its full support to the Secretary-General and his Special Representative for Somalia, Mr. Augustine P. Mahiga, in this regard, and for their work with the African Union and international and regional partners,

Recognizing that peace and stability in Somalia depend on reconciliation and effective governance across the whole of Somalia, and urging all Somali parties to renounce violence and to work together to build peace and stability,

Welcoming the London Conference on Somalia, to be held on 23 February 2012, where coordinated international action to address the political, security, justice, stability and piracy problems in Somalia, as well as humanitarian issues, will be further enhanced, and welcoming also the upcoming Istanbul Conference on Somalia,

Expressing grave concern at the dire humanitarian situation in Somalia and its impact on the people of Somalia, in particular on women and children, and calling upon all parties to ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law,

Reiterating its condemnation of all attacks on the Transitional Federal Government, the Mission, United Nations personnel and facilities, and the civilian population by armed opposition groups and foreign fighters, particularly Al-Shabaab, and stressing that Somali armed opposition groups and foreign fighters, particularly Al-Shabaab, constitute a terrorist threat to Somalia and the international community,

Noting the announcement that Al-Shabaab has joined Al-Qaida, stressing that there should be no place for terrorism or violent extremism in Somalia, and reiterating its call upon all opposition groups to lay down their arms, *Commending* the contribution of the Mission to lasting peace and stability in Somalia and efforts to bring stability and security to Mogadishu, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Burundi and Uganda and for the newly deployed troops from the Government of Djibouti, and recognizing the significant sacrifices made by Mission forces,

Welcoming the willingness of the Government of Kenya for Kenyan forces to be incorporated into the Mission and so to contribute to the implementation of the mandate of the Mission as set out in paragraph 9 of resolution 1772 (2007) of 20 August 2007 and the present resolution, stressing the importance of the prompt deployment of the new Mission forces to reach its mandated level, and calling upon other States members of the African Union to consider contributing troops and provide support to the Mission,

Welcoming also the work of the joint African Union and United Nations technical assessment mission on the Mission, noting the agreement by the Peace and Security Council of the African Union on a strategic concept for the Mission of 5 January 2012,[115] and welcoming the special report of the Secretary-General on Somalia,[116]

Recalling its authorization in paragraph 1 of resolution 2010 (2011) that the States members of the African Union maintain the deployment of the Mission until 31 October 2012, and that the Mission is authorized to take all measures necessary to carry out its existing mandate as set out in paragraph 9 of resolution 1772 (2007),

Recalling also paragraph 5 of resolution 2010 (2011), and noting its intention to review the force level of the Mission when it reaches its mandated level of 12,000,

Expressing its concern that charcoal exports from Somalia are a significant revenue source for Al-Shabaab and also exacerbate the humanitarian crisis,

Recalling its resolutions 1950 (2010) of 23 November 2010, 1976 (2011) of 11 April 2011 and 2020 (2011) of 22 November 2011, expressing its grave concern at the threat posed by piracy and armed robbery at sea off the coast of Somalia, recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response to tackle piracy, and hostage-taking, and its underlying causes by the international community and the transitional federal institutions, and welcoming the efforts of the Contact Group on Piracy off the Coast of Somalia, States and international and regional organizations,

Stressing the need to investigate, prosecute and imprison when duly convicted pirates and those who illicitly finance, plan, organize or unlawfully profit from pirate attacks,

Welcoming the relocation of the Special Representative of the Secretary-General to Somalia and an office of the United Nations Political Office for Somalia to Mogadishu, and encouraging the United Nations to take further steps to achieve a more permanent and full relocation to Somalia, in particular Mogadishu, consistent with the security conditions, as outlined in the reports of the Secretary-General of 16 April 2009[96] and 9 September 2010,[97]

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that in addition to the tasks set out in paragraph 9 of resolution 1772 (2007) the mandate of the African Union Mission in Somalia shall include establishing a presence in the

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[115] See S/2012/19, enclosure.

[116] S/2012/74.

four sectors set out in the strategic concept for the Mission of 5 January 2012, and that the Mission shall be authorized to take all necessary measures, as appropriate, in those sectors in coordination with the Somali security forces to reduce the threat posed by Al-Shabaab and other armed opposition groups in order to establish conditions for effective and legitimate governance across Somalia, and further decides that the Mission shall act in compliance with applicable international humanitarian and human rights law in performance of this mandate and in full respect for the sovereignty, territorial integrity, political independence and unity of Somalia;

2. *Requests* the African Union to increase the force strength of the Mission from 12,000 to a maximum of 17,731 uniformed personnel, comprising troops and personnel of formed police units;

3. *Reiterates* that regional organizations have the responsibility to secure human, financial, logistical and other resources for the work of their organizations, including through contributions by their members and support from partners, welcomes the valuable financial support provided by the African Union's partners to the Mission, including through bilateral support programmes and the African Peace Facility of the European Union, and calls upon all partners, in particular new donors, to support the Mission through the provision of equipment, technical assistance, funding for troop stipends and uncaveated funding for the Mission to the United Nations trust fund for the Mission;

4. *Decides* to expand the logistical support package for the Mission, referred to in paragraphs 10 and 11 of resolution 2010 (2011), and as described in the letters dated 30 January 2009[98] and 21 September 2011[93] from the Secretary-General to the President of the Security Council, from a maximum of 12,000 uniformed personnel to a maximum of 17,731 uniformed personnel, until 31 October 2012, ensuring the accountability and transparency of expenditure of United Nations funds as set out in paragraph 4 of resolution 1910 (2010) of 28 January 2010;

5. *Recalls* its request to the Secretary-General in paragraphs 10 and 12 of resolution 1863 (2009) of 16 January 2009 related to transparency and proper accountability for resources provided to the Mission, and requests that equal attention to resource transparency, accountability and internal controls be applied to the additional United Nations support measures authorized to be provided to the Mission and its troop-contributing countries in the present resolution and the annex to the present resolution;

6. *Decides*, on an exceptional basis and owing to the unique character of the Mission, to expand the logistical support package for the Mission to include the reimbursement of contingent-owned equipment, including force enablers and multipliers as described in paragraphs 28 to 36 and 43 of the special report of the Secretary-General on Somalia[116] and as set out in the annex to the present resolution;

7. *Stresses* the importance of stabilizing areas secured by the Mission and the Somali security forces, calls upon all Somali stakeholders, with the support of the United Nations, the African Union and the international community, to promote reconciliation, law and order and the delivery of basic services and strengthen governance at the district, regional, state and federal levels, including by supporting the delivery of stabilization plans developed by the Intergovernmental Authority on Development and the Transitional Federal Government;

8. *Requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning, deployment and management of the Mission, through the United Nations Office to the African Union, including on the implementation of the strategic concept for the Mission and the concept of operations of the Mission;

9. *Reiterates its request* to the United Nations to work with the African Union to develop a guard force of an appropriate size, within the mandated troop levels of the Mission, to provide security, escort and protection services to personnel from the international community, including the United Nations, as appropriate and without further delay;

10. *Welcomes* the intention of new troop-contributing countries to contribute to the Mission, and stresses that all new troops shall be integrated fully into the Mission command and control structures and shall operate in accordance with the mandate of the Mission as set out in paragraph 9 of resolution 1772 (2007) and the present resolution;

11. *Stresses* that coordinated action by all contributors is critical for the peace, security and stability of Somalia and the region, and calls upon other States members of the African Union to consider contributing troops to the Mission in order to help to create the conditions in which Somalia can be responsible for its own security;

12. *Recognizes* the importance of strengthening the capacity of regional and subregional organizations in conflict prevention, crisis management and post-conflict stabilization, and calls upon the African Union and donors to continue to work together to further enhance the effectiveness of African peacekeeping;

13. *Recalls* paragraph 13 of resolution 2010 (2011);

14. *Emphasizes* that the development of the Somali security forces is vital to ensure Somalia's long-term security and stability, requests the Mission to continue to expand its efforts to help to develop the capacity and effectiveness of the Somali security forces, urges Member States and regional and international organizations to work in coordination with the Mission to provide coordinated assistance, training and support, and welcomes in this regard the training of Somali security forces through the bilateral support programmes of Member States and the European Union Training Mission for Somalia;

15. *Notes* the important role that an effective police presence can play in the stabilization of Mogadishu, stresses the need to continue to develop an effective Somali police force, and welcomes the desire of the African Union to develop an operational police component within the Mission;

16. *Demands* that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further demands that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law;

17. *Recalling* its resolutions 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, welcomes the progress made by the Mission in reducing civilian casualties during its operations, urges the Mission to continue to undertake enhanced efforts in this regard, commends the commitment of the Mission to establish a Civilian Casualty Tracking, Analysis and Response Cell, as referenced in the report of the Secretary-General of 9 December 2011 on Somalia,[117] and calls upon international donors and partners to further support the establishment of a Civilian Casualty Tracking, Analysis and Response Cell;

18. *Welcomes* the endorsement by the Mission of the 2011 indirect fire policy, and encourages the Mission to adapt and implement this policy for all new troops and assets;

19. *Recalls* the decision of the Security Council, in resolution 1844 (2008) of 20 November 2008, and welcomes the determination by the international community, including the African Union, to take measures against both internal and external actors engaged in actions aimed at undermining the peace and reconciliation process in Somalia, including the road map, as well as the efforts of the Mission and the Somali security forces;

20. *Underlines its intention* to keep the situation on the ground under review and to take into account in its future decisions progress by the Mission in meeting the following objectives:

(*a*) Consolidation of security and stability throughout south central Somalia, including key towns, by the Somali security forces and the Mission, on the basis of clear military objectives integrated into a political strategy;

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[117] S/2011/759.

(*b*) Effective regional coordination and cooperation on security issues by the Mission;

(*c*) Assistance in the development of effective Somali security forces, with integrated units under a clear command and control structure and in coordination with the international community;

21. *Requests* the African Union to keep the Security Council regularly informed, through the Secretary-General, on the implementation of the mandate of the Mission, including on the implementation of paragraphs 1 and 2 of the present resolution and on the new command and control structure and integration of forces under this structure and report to the Council, through the provision of written reports, no later than thirty days after the adoption of the present resolution and every sixty days thereafter;

22. *Decides* that the Somali authorities shall take the measures necessary to prevent the export of charcoal from Somalia and that all Member States shall take the measures necessary to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia; further decides that all Member States shall report to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee") within one hundred and twenty days of the adoption of the present resolution on the steps they have taken towards effective implementation of the present paragraph; and requests the Monitoring Group on Somalia and Eritrea re-established pursuant to resolution 2002 (2011) of 29 July 2011 to assess the impact of the charcoal ban in its final report;

23. *Decides also* that the mandate of the Committee shall apply to the measures in paragraph 22 above, decides that the mandate of the Monitoring Group shall likewise be expanded, and considers that such commerce may pose a threat to the peace, security or stability of Somalia and, therefore, that the Committee may designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008);

24. *Decides further* to remain actively seized of the matter.

Adopted unanimously at the 6718th meeting.

Annex

In accordance with paragraph 6 of this resolution, on an exceptional basis and owing to the unique character of the African Union Mission in Somalia, the United Nations logistical support package for the Mission shall be extended for a maximum of 17,731 uniformed personnel and 20 civilian Mission personnel based at Mission headquarters until 31 October 2012, in line with the recommendation in paragraphs 29 and 43 of the special report of the Secretary-General on Somalia,[116] which includes the provision of explosive threat management capacity, level II medical facilities and the reimbursement of contingent-owned equipment.

Eligible contingent-owned equipment will include standard enablers and multipliers within the land component, and an aviation component of up to a maximum of 9 utility helicopters and 3 attack helicopters.

Contingent-owned equipment reimbursement should conform to United Nations rates and practices, including the direct transfer of funds to troop-contributing countries as appropriate, and periodic reviews to ensure full operational capability. Letters of assist should be negotiated with troop-contributing countries for equipment not covered under the United Nations contingent-owned equipment framework, including the aviation component specified above.

As noted in paragraph 29 of the special report of the Secretary-General on Somalia, only equipment deployed by the troop-contributing countries and considered owned by troop-contributing countries should be reimbursed. Equipment gifted or donated to troop-contributing countries, the Mission or the African Union or where the ownership still remains with the donor is not eligible for reimbursement.

Decisions

At its 6719th meeting, on 22 February 2012, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Somalia
>
> > "Report of the Secretary-General on specialized anti-piracy courts in Somalia and other States in the region (S/2012/50)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, and Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime.

At its 6729th meeting, on 5 March 2012, the Council decided to invite the representatives of Australia, Brazil, Denmark, Egypt, Ethiopia, Finland, Indonesia, Italy, Japan, Kazakhstan, Kenya, Luxembourg, Norway, Somalia, Sweden, Turkey and Uganda to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Somalia
>
> > "Special report of the Secretary-General on Somalia (S/2012/74)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[118]

> "The Security Council welcomes the international London Conference on Somalia, held on 23 February 2012, and fully supports its conference communiqué. The Conference demonstrated the international community's political will and determination to support the Somali people as they build peace and stability in Somalia.
>
> "The Council supports the progress made at the London Conference, which affirmed international support, progress on the political process, security, increasing stability, economic development and action to address terrorism, piracy and hostage-taking. The Council emphasized the need to build on agreement in London and continue to pursue a comprehensive strategy for the establishment of peace and stability in Somalia through the collaborative effort of all stakeholders. The Council also welcomes the meeting, which preceded the London Conference, on the ongoing and protracted humanitarian situation in Somalia.
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> "The Council further welcomes the consensus in London that the mandate of the transitional federal institutions will end in August 2012 and that there will be no further extension of the transitional period. The Council welcomes commitments to work for a more

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[118] S/PRST/2012/4.

representative government in Somalia, in line with the Transitional Federal Charter, the Djibouti Agreement, the Kampala Accord, the end-of-transition road map and the Garowe Principles. The Council reaffirms its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"The Council reiterates its full support for the work of the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, and the United Nations Political Office for Somalia in facilitating progress towards peace and stability in Somalia, as well as that of the Intergovernmental Authority on Development and the African Union. The Council welcomes the relocation of the United Nations Political Office for Somalia to Mogadishu and encourages the United Nations to achieve a more permanent, full relocation to Somalia when security conditions allow.

"The Council pays tribute to the contribution of the African Union Mission in Somalia and the Somali national security forces to achieving a more peaceful and stable Somalia, and expresses its appreciation for the commitment of troops by troop-contributing countries to the Mission and the significant sacrifices made by both Mission and Somali forces. In this regard, the Council recalls its resolution 2036 (2012) authorizing an expansion of the Mission, increasing the scale and scope of the United Nations logistical support package to enhance the predictability, sustainability and flexibility of the financing of the Mission, and imposing an international ban on Somali charcoal. The Council welcomes the valuable financial support provided by the African Union's partners to the Mission, including through bilateral support programmes from the United States of America and from the African Peace Facility of the European Union. The Council stresses the need for continued support to the Mission and calls for further support from existing and new partners to provide equipment, funding for troop stipends to the Mission and uncaveated funding, including through the United Nations trust fund for the Mission.

"The Council recalls its resolutions 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, welcomes the progress made by the Mission in reducing civilian casualties during its operations and urges the Mission to continue to undertake enhanced efforts in this regard.

"The Council emphasizes the importance of effective governance in Somalia and the delivery of basic services to the Somali people throughout Somalia. The Council underlines the need for further efforts to fight corruption and promote transparency in Somalia, and welcomes initiatives to increase transparency and accountability in the collection, and efficient use, of Somali public revenues.

"The Council underlines that the development of the Somali security forces and institutions is vital to ensure Somalia's long-term security and stability and calls upon the international community, in coordination with the United Nations and the Mission, to provide increased support to the Somali security and justice sectors. The Council fully supports the training of Somali security forces through the bilateral support programmes of Member States and the European Union Training Mission for Somalia.

"The Council supports efforts to expand existing stabilization plans in Somalia to new sectors, welcomes increased international support to areas of stability, including through a new stability fund, and encourages further efforts to address Somalia's long-term reconstruction and economic development.

"The Council recognizes that, while the famine may have ended in Somalia, there are significant ongoing humanitarian needs. The Council underlines the high number of internally displaced persons in Somalia who urgently need support, and persons in need of emergency relief. The Council emphasizes the need for the international community to provide well coordinated, timely and sustained humanitarian assistance to the Somali people, and to help to build their resistance to future shocks, and stresses the importance of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence. The Council demands that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with relevant humanitarian and human rights law.

"The Council welcomes the fact that effective countermeasures have led to a substantial reduction in the number of successful piracy-related attacks, although it notes with concern the increased incidence of attempted attacks. The Council remains gravely concerned about the ongoing threat posed by piracy and armed robbery off the coast of Somalia, including the issue of hostage-taking and the increasing use of violence against hostages, and the extended range of the piracy threat into the western Indian Ocean and adjacent sea areas. The Council recognizes that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea, and stresses the need for a comprehensive response to repress piracy and armed robbery at sea and tackle its underlying causes. The Council welcomes the commitments made at the London Conference on new efforts to repress piracy, including efforts by bilateral donors and regional organizations to strengthen the capacity of Somalia and relevant States in the region to prosecute those responsible for acts of piracy and armed robbery off the coast of Somalia and to imprison convicted pirates.

"The Council remains gravely concerned about the threat posed to Somalia and the international community by terrorist attacks by Somali armed opposition groups, in particular Al-Shabaab, and welcomes the commitment made at the London Conference for renewed international action to address this threat, while ensuring full respect for the rule of law, human rights and international humanitarian law. The Council also stresses the importance of addressing conditions conducive to the spread of terrorism.

"The Council welcomes the intention of the Government of Turkey to hold a Conference on Somalia in Istanbul.

"The members of the Council will keep the situation in Somalia under close review."

At its 6770th meeting, on 15 May 2012, the Council decided to invite the representative of Somalia (President) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on Somalia (S/2012/283)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Augustine P. Mahiga, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

On 24 July 2012, the President of the Security Council addressed the following letter to the Secretary-General:[119]

"I have the honour to inform you that your letter dated 13 July 2012,[120] in which you conveyed the request of the African Union that the United Nations consider reconfiguring the type of helicopters to be supported through the United Nations logistical support package for the African Union Mission in Somalia, as authorized by Security Council resolution 2036 (2012), and the further request of the African Union that the Council authorize flexibility in the mix of helicopters supporting the Mission has been brought to the attention of the members of the Council.

"I have the honour to confirm that the Council approves of this arrangement, which shall be within the overall ceiling of 12 helicopters, as contained in the annex to resolution 2036 (2012) and within the current authorized budget."

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[119] S/2012/577.

[120] S/2012/576.

At its 6814th meeting, on 25 July 2012, the Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

> "Letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2012/544)
>
> "Letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2012/545)".

Resolution 2060 (2012)
of 25 July 2012

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia and concerning Eritrea, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the Somalia arms embargo"), and resolution 2036 (2012) of 22 February 2012,

Taking note of the final reports of the Monitoring Group on Somalia and Eritrea of 27 June 2012, submitted pursuant to paragraph 6 (*m*) of resolution 2002 (2011) of 29 July 2011,[121] and the observations and recommendations contained therein,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Urging the Somali transitional federal institutions and all signatories to the road map to redouble their efforts to fully implement the road map with the support of the United Nations Political Office for Somalia and the international community, and reiterating that the transition will not be extended beyond 20 August 2012, in keeping with the Transitional Federal Charter, the Djibouti Agreement, the Kampala Accord and subsequent consultative meetings,

Expressing concern at the continued missing of deadlines in the political transition, noting the primary importance of the transition process, and reaffirming the importance of preventing further obstacles to the transition process,

Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the Somalia arms embargo and the Eritrea arms embargo established pursuant to resolution 1907 (2009) of 23 December 2009 (hereinafter referred to as "the Eritrea arms embargo") as a serious threat to peace and stability in the region,

Deploring all acts of violence, abuses and violations, including sexual and gender-based violence, committed against civilians, including children, in violation of applicable international law, strongly condemning the recruitment of child soldiers, strongly urging that the Transitional Federal Government and its post-transition successors vigorously follow through with the action plan on recruitment and use of child soldiers signed on 3 July 2012, and stressing that the perpetrators must be brought to justice,

Recalling the report of the Informal Working Group of the Security Council on General Issues of Sanctions on best practices and methods,[122] including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms,

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[121] See S/2012/544 and S/2012/545.

[122] See S/2006/997, annex.

Reaffirming the need for both the Somali authorities and donors to be mutually accountable and transparent in the allocation of financial resources by encouraging the application of international standards on fiscal transparency, including through the proposed joint financial management board, and in this context expressing concern at the worrying reports on financial transparency,

Determining that the situation in Somalia, Eritrea's influence in Somalia as well as the dispute between Djibouti and Eritrea continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Recalls* resolution 1844 (2008) of 20 November 2008, which imposed targeted sanctions, and resolution 2002 (2011), which expanded the listing criteria, and noting that one of the listing criteria under resolution 1844 (2008) is engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 19 August 2008 or the political process, or threaten the transitional federal institutions and their post-transition successors or the African Union Mission in Somalia by force;

2. *Also recalls* that engaging in or providing support for acts that threaten the peace, security or stability of Somalia may include, but are not limited to:

(*a*) Engaging in the direct or indirect export or import of charcoal from Somalia, in line with paragraphs 22 and 23 of resolution 2036 (2012);

(*b*) Engaging in any non-local commerce via Al-Shabaab-controlled ports, which constitutes financial support for a designated entity;

(*c*) Misappropriating financial resources, which undermines the ability of the transitional federal institutions and their post-transition successors to fulfil their obligations in delivering services within the framework of the Djibouti Agreement;

3. *Considers* that such acts may also include, but are not limited to, engaging in or providing support for acts which obstruct or undermine the transition process in Somalia;

4. *Welcomes* the recommendation of the Monitoring Group on Somalia and Eritrea to set up a joint financial management board to improve financial management, transparency and accountability of Somalia's public resources, reiterates its call for the end of the misappropriation of financial funds and for full cooperation in the rapid setting up and effective operation of the board, and notes the importance of capacity-building of the relevant Somali institutions;

5. *Underscores* the importance of humanitarian aid operations, condemns any politicization of humanitarian assistance, or misuse or misappropriation, and calls upon Member States and the United Nations to take all feasible steps to mitigate the aforementioned practices in Somalia;

6. *Demands* that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, in accordance with the humanitarian principles of impartiality, neutrality, humanity and independence, underlines its concern at the humanitarian situation in Somalia, urges all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and expresses its readiness to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in resolutions 1844 (2008) and 2002 (2011);

7. *Decides* that, for a period of twelve months from the date of the present resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance and their implementing partners, including bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Consolidated Appeal for Somalia;

8. *Requests* the Emergency Relief Coordinator to report to the Security Council by 20 November 2012 and again by 20 July 2013 on the implementation of paragraphs 5, 6 and 7 above and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations Resident and Humanitarian Coordinator for Somalia in the preparation of such report and in the interests of increasing transparency and accountability by providing information relevant to paragraphs 5, 6 and 7 above;

9. *Requests* enhanced cooperation, coordination and information-sharing between the Monitoring Group and the humanitarian organizations operating in Somalia and neighbouring countries;

10. *Decides* that measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 shall not apply to supplies of weapons and military equipment, or the provision of assistance, solely for the support of or use by the United Nations Political Office for Somalia, as approved in advance by the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009);

11. *Decides also* that the Eritrea arms embargo imposed by paragraph 5 of resolution 1907 (2009) shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Eritrea by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

12. *Decides further* that the measures imposed by paragraph 5 of resolution 1907 (2009) shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;

13. *Decides* to extend until 25 August 2013 the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004) of 17 August 2004, which was extended by subsequent resolutions, including by resolutions 2002 (2011), 2023 (2011) of 5 December 2011 and 2036 (2012), expresses its intent to review the mandate and take appropriate action regarding the further extension no later than 25 July 2013, and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of thirteen months from the date of the present resolution, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions, including resolution 2002 (2011), and consistent with resolutions 1907 (2009), 2023 (2011) and 2036 (2012), this mandate being as follows:

(*a*) To assist the Committee in monitoring the implementation of the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008), including by reporting any information on violations, and to include in its reports to the Committee any information relevant to the potential designation of the individuals and entities described in paragraph 1 above;

(*b*) To assist the Committee in compiling narrative summaries, referred to in paragraph 14 of resolution 1844 (2008), of individuals and entities designated pursuant to paragraph 1 above;

(*c*) To investigate any seaport operations in Somalia that may generate revenue for Al-Shabaab, an entity designated by the Committee for meeting the listing criteria in resolution 1844 (2008);

(*d*) To continue the tasks outlined in paragraphs 3 (*a*) to (*c*) of resolution 1587 (2005) of 15 March 2005, paragraphs 23 (*a*) to (*c*) of resolution 1844 (2008) and paragraphs 19 (*a*) to (*d*) of resolution 1907 (2009);

(*e*) To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes;

(*f*) To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes;

(*g*) To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraph 1 above, inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*h*) To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (*a*) to (*e*) of resolution 1907 (2009), inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*i*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) and 1474 (2003) of 8 April 2003[123] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003) of 16 December 2003,[124] 1558 (2004),[125] 1587 (2005),[126] 1630 (2005) of 14 October 2005,[127] 1676 (2006) of 10 May 2006,[128] 1724 (2006) of 29 November 2006,[129] 1766 (2007) of 23 July 2007,[130] 1811 (2008) of 29 April 2008,[131] 1853 (2008) of 19 December 2008,[132] 1916 (2010) of 19 March 2010[133] and 2002 (2011);[121]

(*j*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

(*k*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

(*l*) To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

(*m*) To submit, for consideration by the Council, through the Committee, two final reports, one focusing on Somalia, the other on Eritrea, covering all the tasks set out above, no later than thirty days prior to the termination of the mandate of the Monitoring Group;

14. *Requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

15. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group and to recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the

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[123] See S/2003/223 and S/2003/1035.

[124] See S/2004/604.

[125] See S/2005/153.

[126] See S/2005/625.

[127] See S/2006/229.

[128] See S/2006/913.

[129] See S/2007/436.

[130] See S/2008/274.

[131] See S/2008/769.

[132] See S/2010/91.

[133] See S/2011/433.

measures regarding the import and export of charcoal from Somalia, as well as implementation of the targeted measures imposed by paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) taking into account paragraph 1 above, in response to continuing violations;

16. *Urges* all parties and all States, including Eritrea, other States in the region, and the Transitional Federal Government and its post-transition successor, as well as international, regional and subregional organizations, to ensure cooperation with the Monitoring Group and ensure the safety of the members of the Monitoring Group and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6814th meeting.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Bosnia and Herzegovina[134]

Decisions

At its 6659th meeting, on 15 November 2011, the Security Council decided to invite the representatives of Croatia and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 3 November 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/682)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, and Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At its 6661st meeting, on 16 November 2011, the Council decided to invite the representatives of Italy and Spain to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 3 November 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/682)
>
> "Letter dated 15 November 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/717)".

Resolution 2019 (2011)
of 16 November 2011

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008, 1869 (2009) of 25 March 2009, 1895 (2009) of 18 November 2009 and 1948 (2010) of 18 November 2010,

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[134] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[135] as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551 (2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force-Althea), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Welcoming the adoption by the authorities of Bosnia and Herzegovina of a revised strategy for the implementation of annex 7 of the Peace Agreement, focused on the strategy for the return of refugees, and emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the sixteen years since the signing of the Peace Agreement,

Noting that the overall security situation in Bosnia and Herzegovina has been calm and stable for several years,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 2 November 2011,[136]

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

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[135] See S/1995/999.

[136] See S/2011/682.

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[137] and the statement by its President of 9 February 2000,[138]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Welcoming the decision taken by the Ministers for Foreign Affairs of the European Union on 25 January 2010 to start providing non-executive capacity-building and training support, within the framework of the European Union Force-Althea,

Welcoming also the conclusions of the Ministers for Foreign Affairs of the European Union on 10 October 2011, which confirmed the commitment of the European Union at this stage to a continuing executive mandate for a reconfigured European Union Force-Althea to support Bosnia and Herzegovina's efforts to maintain the safe and secure environment and the authorities' deterrence capacity, under a renewed United Nations mandate, while focusing its main efforts on the provision of non-executive capacity-building and training support in order to contribute to strengthening local ownership and capacity,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina,[139] in which both organizations recognize that the European Union Force-Althea will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force-Althea and the North Atlantic Treaty Organization Headquarters presence,[140]

Welcoming the increased engagement and reinforced role of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Reiterating once again its calls upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, as also confirmed in the declaration by the Steering Board of the Peace Implementation Council of 7 July 2011, and recognizing, in particular, the need to find a solution on State and defence property,

Calling upon the political leaders, following the elections of 3 October 2010, to fulfil their democratic responsibility and form a new Council of Ministers of Bosnia and Herzegovina which will address with urgency important policies and priorities,

Calling upon all Bosnia and Herzegovina's political leaders to refrain from divisive rhetoric and to make further concrete and tangible progress towards European Union integration,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[135] as well

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[137] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[138] S/PRST/2000/4.

[139] See S/2004/915 and S/2004/916.

[140] See S/2004/917.

as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[141] and calls upon the parties to comply strictly with their obligations under the Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[142]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force-Althea and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force-Althea), and in the continued North Atlantic Treaty

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[141] S/1995/1021, annex.

[142] See S/1997/979, annex.

Organization presence, established in accordance with its resolution 1575 (2004) and extended by its resolutions 1639 (2005), 1722 (2006), 1785 (2007), 1845 (2008), 1895 (2009) and 1948 (2010), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force-Althea) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation (the European Union Force-Althea) in Bosnia and Herzegovina from November 2011;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force-Althea) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004,[139] which recognize that the European Union Force-Althea will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force-Althea, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force-Althea in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force-Althea will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force-Althea and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force-Althea, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all measures necessary to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force-Althea and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force-Althea and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force-Althea or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force-Althea or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force-Althea and the North Atlantic Treaty Organization presence to take all measures necessary to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all measures necessary to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force-Althea, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force-Althea and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports of the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[143] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under the Agreement;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 6661st meeting.

Decisions

At its 6771st meeting, on 15 May 2012, the Security Council decided to invite the representatives of Croatia and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 9 May 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/307)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, and Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

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[143] See S/1996/1012, annex.

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[144]

Decisions

At its 6604th meeting, on 30 August 2011, the Security Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/514)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Farid Zarif, Acting Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Enver Hoxhaj.

At its 6616th meeting, on 15 September 2011, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Letter dated 13 September 2011 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2011/574)
> >
> > "Letter dated 14 September 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2011/575)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Enver Hoxhaj.

At its 6617th meeting, held in private on 15 September 2011, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6617th meeting, held in private on 15 September 2011, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.
>
> "Pursuant to the decision taken at the 6616th meeting, the President recognized the presence of Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, at the Council table, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

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[144] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

"The President, with the consent of the Council, invited the representatives of Albania, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, Greece, Hungary, Ireland, Italy, Montenegro, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the former Yugoslav Republic of Macedonia, at their request, to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure of the Council.

"Pursuant to the decision taken at the 6616th meeting, the President recognized the presence of Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, at the Council table, in accordance with rule 39 of the provisional rules of procedure of the Council.

"Pursuant to the decision taken at the 6616th meeting, the President recognized the presence of Mr. Enver Hoxhaj at the Council table, in accordance with rule 39 of the provisional rules of procedure of the Council.

"The members of the Council, Mr. Jeremić, Mr. Mulet and Mr. Hoxhaj had an exchange of views."

On 11 October 2011, the President of the Security Council addressed the following letter to the Secretary-General:[145]

"I have the honour to inform you that your letter dated 7 October 2011 concerning your intention to appoint Mr. Farid Zarif, of Afghanistan, as your Special Representative for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo[146] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6670th meeting, on 29 November 2011, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/675)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Enver Hoxhaj.

At its 6713th meeting, on 8 February 2012, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/72)".

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[145] S/2011/632.

[146] S/2011/631.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, and Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Enver Hoxhaj.

At its 6769th meeting, on 14 May 2012, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/275)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Enver Hoxhaj.

C. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[147]

Decision

At its 6613th meeting, on 14 September 2011, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> > "Letter dated 13 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/566)".

Resolution 2007 (2011)
of 14 September 2011

The Security Council,

Recalling its resolution 1786 (2007) adopted on 28 November 2007,

Having regard to article 16 of the statute of the International Tribunal for the Former Yugoslavia,

Having considered the nomination by the Secretary-General of Mr. Serge Brammertz for reappointment as Prosecutor of the International Tribunal,[148]

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[147] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[148] See S/2011/566.

Recalling that in its resolution 1966 (2010) of 22 December 2010 it called upon the International Tribunal to take all possible measures to expeditiously complete all its remaining work as provided for in that resolution no later than 31 December 2014,

Decides to reappoint Mr. Serge Brammertz as Prosecutor of the International Tribunal for the Former Yugoslavia, notwithstanding the provisions of article 16, paragraph 4, of the statute of the International Tribunal related to the length of office of the Prosecutor, for a term with effect from 1 January 2012 until 31 December 2014, which is subject to an earlier termination by the Security Council upon the completion of the work of the International Tribunal.

Adopted unanimously at the 6613th meeting.

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994[149]

Decision

At its 6612th meeting, on 14 September 2011, the Security Council considered the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994
>
> > "Letter dated 7 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/561)".

Resolution 2006 (2011)
of 14 September 2011

The Security Council,

Recalling its resolution 1774 (2007) adopted on 14 September 2007,

Having regard to article 15 of the statute of the International Criminal Tribunal for Rwanda,

Having considered the nomination by the Secretary-General of Mr. Hassan Bubacar Jallow for reappointment as Prosecutor of the International Tribunal,[150]

Recalling that in its resolution 1966 (2010) of 22 December 2010 it called upon the International Tribunal to take all possible measures to expeditiously complete all its remaining work as provided for in that resolution no later than 31 December 2014,

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[149] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[150] See S/2011/561.

Decides to reappoint Mr. Hassan Bubacar Jallow as Prosecutor of the International Criminal Tribunal for Rwanda, notwithstanding the provisions of article 15, paragraph 4, of the statute of the International Tribunal related to the length of office of the Prosecutor, for a term with effect from 15 September 2011 until 31 December 2014, which is subject to an earlier termination by the Security Council upon the completion of the work of the International Tribunal.

Adopted unanimously at the 6612th meeting.

Decision

At its 6632nd meeting, on 14 October 2011, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

> "Letter dated 30 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/609)".

Resolution 2013 (2011)
of 14 October 2011

The Security Council,

Taking note of the letter dated 30 September 2011 from the Secretary-General to the President of the Security Council attaching a letter dated 26 September 2011 from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),[151]

Recalling its resolutions 955 (1994) of 8 November 1994, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004 and its previous resolutions concerning the International Tribunal,

Recalling also its resolution 1966 (2010) of 22 December 2010 establishing the International Residual Mechanism for Criminal Tribunals ("the Mechanism") and requesting the International Tribunal to take all possible measures to expeditiously complete all its remaining work no later than 31 December 2014, prepare its closure and ensure a smooth transition to the Mechanism,

Noting that, upon the completion of the cases to which they are assigned, four permanent judges will be redeployed from the Trial Chambers to the Appeals Chamber and two permanent judges will leave the International Tribunal,

Urging the International Tribunal to take all possible measures to complete its work expeditiously as requested in resolution 1966 (2010),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, in the light of the exceptional circumstances, that, notwithstanding article 12 bis, paragraph 3, of the statute of the International Tribunal, Judge Bakhtiyar Tuzmukhamedov may work part-time and engage in another judicial occupation until 31 December 2011, and takes note of Judge Tuzmukhamedov's commitment to ensuring timely delivery of judgement in the two cases in which he is currently involved;

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[151] S/2011/609.

2. *Underscores* that this exceptional authorization shall not be considered as establishing a precedent. The President of the International Tribunal shall have the responsibility to ensure that this arrangement is compatible with the independence and impartiality of the judge, does not give rise to conflicts of interest and does not delay the delivery of the judgement;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 6632nd meeting.

Decision

At its 6694th meeting, on 21 December 2011, the Security Council decided to invite the representative of Rwanda to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994
>
> > "Letter dated 16 November 2011 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 addressed to the President of the Security Council (S/2011/731)".

Resolution 2029 (2011)
of 21 December 2011[152]

The Security Council,

Taking note of the letters dated 16 and 20 December 2011 from the Secretary-General to the President of the Security Council attaching letters dated 26 November and 13 December 2011, respectively, from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),[153]

Recalling its resolutions 955 (1994) of 8 November 1994, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004 and its previous resolutions concerning the International Tribunal,

Recalling also its resolution 1966 (2010) of 22 December 2010 establishing the International Residual Mechanism for Criminal Tribunals ("the Mechanism") and requesting the International Tribunal to take all possible measures to expeditiously complete all its remaining work no later than 31 December 2014, prepare its closure and ensure a smooth transition to the Mechanism,

Recalling further that the branch of the Mechanism for the International Criminal Tribunal for Rwanda shall commence functioning on 1 July 2012,

Taking note of the assessments by the International Tribunal in its completion strategy report,[154] and the updated trial and appeals schedule,

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[152] By a letter dated 16 January 2012 (A/66/660), the President of the Security Council drew the attention of the President of the General Assembly to the text of resolution 2029 (2011).

[153] S/2011/780 and S/2011/781.

[154] See S/2011/731.

Noting that, upon the completion of the cases to which they are assigned, three permanent judges will be redeployed from the Trial Chambers to the Appeals Chamber, and two ad litem judges will leave the International Tribunal,

Noting also the concerns expressed by the President and Prosecutor of the International Tribunal about staffing, and reaffirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Noting with concern that the International Tribunal continues to face problems in the relocation of acquitted persons and convicted persons who have completed serving their sentences,

Urging the International Tribunal to take all possible measures to complete its work expeditiously as requested in resolution 1966 (2010),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 30 June 2012 or until the completion of the trials to which they are assigned, if sooner:

- Sir Charles Michael Dennis Byron (Saint Kitts and Nevis)
- Ms. Khalida Rachid Khan (Pakistan)
- Mr. William H. Sekule (United Republic of Tanzania)
- Mr. Bakhtiyar Tuzmukhamedov (Russian Federation);

2. *Decides also* to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 30 June 2012 or until the completion of the trials to which they are assigned, if sooner:

- Ms. Florence Rita Arrey (Cameroon)
- Ms. Solomy Balungi Bossa (Uganda)
- Mr. Robert Fremr (Czech Republic)
- Mr. Vagn Joensen (Denmark)
- Mr. Gberdao Gustave Kam (Burkina Faso)
- Mr. Lee Gacuiga Muthoga (Kenya)
- Mr. Seon Ki Park (Republic of Korea)
- Mr. Mparany Mamy Richard Rajohnson (Madagascar);

3. *Reiterates* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, and calls upon relevant United Nations bodies to intensify cooperation with the Secretariat and the Registrar of the International Tribunal and to take a flexible approach in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

4. *Urges* all States, especially States where fugitives are suspected to be at large, to intensify further their cooperation with and render all necessary assistance to the International Tribunal, in particular to achieve the arrest and surrender of all remaining fugitives as soon as possible;

5. *Commends* States that have accepted the relocation of acquitted persons or convicted persons who have completed serving their sentences to their territories, and reiterates its call upon other States in a position to do so to cooperate with and render all necessary assistance to the International Tribunal in the relocation of acquitted persons and convicted persons who have completed serving their sentences;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 6694th meeting.

Decision

At its 6794th meeting, on 29 June 2012, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

> "Letter dated 22 May 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2012/349)
>
> "Letter dated 1 June 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/392)".

Resolution 2054 (2012)
of 29 June 2012[155]

The Security Council,

Taking note of the letter dated 1 June 2012 from the Secretary-General to the President of the Security Council attaching a letter dated 21 May 2012 from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),[156]

Recalling its resolutions 955 (1994) of 8 November 1994, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004 and its previous resolutions concerning the International Tribunal,

Recalling also its resolution 1966 (2010) of 22 December 2010 establishing the International Residual Mechanism for Criminal Tribunals ("the Mechanism") and requesting the International Tribunal to take all possible measures to expeditiously complete all its remaining work no later than 31 December 2014, prepare its closure and ensure a smooth transition to the Mechanism,

Recalling further that the branch of the Mechanism for the International Criminal Tribunal for Rwanda shall commence functioning on 1 July 2012, and welcoming the preparatory steps that have been taken in this regard,

Taking note of the assessments by the International Tribunal in its completion strategy report[157] and the updated trial and appeals schedule,

Noting the successful referral of cases to Rwanda for prosecution, and emphasizing the importance of ensuring appropriate monitoring of the referred cases and respecting at all times the rights of accused persons transferred from the International Tribunal to Rwanda,

Noting also that one permanent judge will be redeployed from the Trial Chamber to the Appeals Chamber and five ad litem judges will leave the International Tribunal before 30 June 2012, on completion of the cases to which they are assigned,

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[155] By a letter dated 17 July 2012 (A/66/870), the President of the Security Council drew the attention of the President of the General Assembly to the text of resolution 2054 (2012).

[156] S/2012/392.

[157] See S/2012/349.

Noting further the concerns expressed by the President and Prosecutor of the International Tribunal about staffing, and reaffirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Noting with concern that the International Tribunal continues to face problems in the relocation of acquitted persons and convicted persons who have completed serving their sentences, and emphasizing the importance of successful relocation of such persons,

Urging the International Tribunal to take all possible measures to complete its work expeditiously as requested in resolution 1966 (2010),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, notwithstanding the expiry of their term of office on 30 June 2012, Judge William H. Sekule (United Republic of Tanzania), Judge Solomy Balungi Bossa (Uganda) and Judge Mparany Mamy Richard Rajohnson (Madagascar) may continue, on an exceptional basis, to serve at the International Tribunal until 31 December 2012 or until the completion of the *Ngirabatware* case, which they began before the expiry of their term of office, while taking note of the intention of the International Tribunal to complete the *Ngirabatware* case by 31 December 2012;

2. *Notes* the intention of the International Tribunal to complete all remaining judicial work by 31 December 2014, decides, bearing in mind the expiry of his term of office on 30 June 2012, to extend the term of office of Judge Vagn Joensen (Denmark) on an exceptional basis until 31 December 2014, so that he may continue to perform the functions required of him as trial judge and President of the International Tribunal to complete the work of the International Tribunal, and expresses its intention to review this decision in June 2013;

3. *Requests* the International Tribunal to report to the Security Council, as a part of its pending report to the Council on the completion strategy pursuant to resolution 1534 (2004), on the projected schedule of the coordinated transition of functions of the International Tribunal to the Mechanism pursuant to articles 5 and 6 of the transitional arrangements annexed to resolution 1966 (2010), with concrete estimated dates, taking into account that the branch of the Mechanism for the International Criminal Tribunal for Rwanda commences functioning on 1 July 2012, with a view to completing all remaining work in the International Tribunal and the closure of the International Tribunal as early as possible and no later than 31 December 2014;

4. *Reiterates* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, and calls upon relevant United Nations bodies to intensify cooperation with the Secretariat and the Registrar of the International Tribunal and to take a flexible approach in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

5. *Urges* all States, especially States where fugitives are suspected to be at large, to intensify further their cooperation with and render all necessary assistance to the International Tribunal, in particular to achieve the arrest and surrender of all remaining fugitives as soon as possible;

6. *Commends* States that have accepted the relocation of acquitted persons or convicted persons who have completed serving their sentences to their territories, and reiterates its call upon all States in a position to do so to cooperate with and render all necessary assistance to the International Tribunal for its increased efforts towards the relocation of acquitted persons and convicted persons who have completed serving their sentences;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 6794th meeting.

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994[158]

Decisions

At its 6678th meeting, on 7 December 2011, the Security Council decided to invite the representatives of Croatia, Rwanda and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994
>
>> "Letter dated 15 November 2011 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2011/716)
>>
>> "Letter dated 16 November 2011 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994, addressed to the President of the Security Council (S/2011/731)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Former Yugoslavia; Judge Khalida Rachid Khan, President of the International Criminal Tribunal for Rwanda; Mr. Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia; and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

On 27 February 2012, the President of the Security Council addressed the following letter to the Secretary-General:[159]

> "I have the honour to inform you that your letter dated 23 February 2012,[160] in which you stated your intention to appoint Judge Theodor Meron, of the United States of America, as President of the International Residual Mechanism for Criminal Tribunals

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[158] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

[159] S/2012/113.

[160] S/2012/112.

(the Mechanism) and to nominate Mr. Hassan Bubacar Jallow, of the Gambia, for appointment as Prosecutor of the Mechanism, has been brought to the attention of the members of the Security Council, who have taken note of it."

At its 6726th meeting, on 29 February 2012, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

> "Letter dated 23 February 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/112)
>
> "Letter dated 27 February 2012 from the President of the Security Council addressed to the Secretary-General (S/2012/113)".

Resolution 2038 (2012)
of 29 February 2012

The Security Council,

Recalling its resolution 1966 (2010) adopted on 22 December 2010,

Having regard to article 14, paragraph 4, of the statute of the International Residual Mechanism for Criminal Tribunals (the Mechanism), annexed to resolution 1966 (2010),

Having considered the nomination by the Secretary-General of Mr. Hassan Bubacar Jallow for appointment as Prosecutor of the Mechanism,[160]

Noting that, according to article 7, paragraph (*a*), of the transitional arrangements annexed to resolution 1966 (2010), the Prosecutor of the Mechanism may also hold the office of Prosecutor of the International Criminal Tribunal for Rwanda,

Recalling that, pursuant to resolution 1966 (2010), the branch of the Mechanism for the International Criminal Tribunal for Rwanda shall commence functioning on 1 July 2012,

Decides to appoint Mr. Hassan Bubacar Jallow as Prosecutor of the International Residual Mechanism for Criminal Tribunals with effect from 1 March 2012 for a term of four years.

Adopted unanimously at the 6726th meeting.

Decisions

On 21 May 2012, the President of the Security Council addressed the following letter to the President of the International Criminal Tribunal for Rwanda and the President of the International Residual Mechanism for Criminal Tribunals:[161]

> "I refer to both your letters of 20 and 29 March 2012 addressed to the President of the Security Council, annexed to the letter dated 9 April 2012 from the Secretary-General to the President of the Security Council.[162]
>
> "The Security Council Informal Working Group on International Tribunals notes that the request for a derogation from the jurisdictional provisions of Security Council resolution

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[161] S/2012/351.

[162] S/2012/218.

1966 (2010) has been withdrawn. In this connection, and on behalf of the members of the Informal Working Group, I would like to take this opportunity to thank you and your staff for the work that went into the preparation of the associated informal notes to clarify the issues raised by the Informal Working Group.

"On a separate subject, I wish to inform you that, subject to the availability of rooms, the Chair of the Informal Working Group is proposing a meeting with both of you, Mr. Serge Brammertz and Mr. Hassan Bubacar Jallow, in advance of your presentations to the Council on 7 June 2012."

At its 6782nd meeting, on 7 June 2012, the Council decided to invite the representatives of Croatia, Rwanda and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

"Letter dated 23 May 2012 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2012/354)

"Letter dated 22 May 2012 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994, addressed to the President of the Security Council (S/2012/349)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Former Yugoslavia; Judge Vagn Joensen, President of the International Criminal Tribunal for Rwanda; Mr. Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia; and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

THE QUESTION CONCERNING HAITI[163]

Decisions

At its 6618th meeting, on 16 September 2011, the Security Council decided to invite the representatives of Argentina, Canada, Chile, Guatemala, Haiti, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2011/540)".

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[163] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mariano Fernández, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At its 6631st meeting, on 14 October 2011, the Council decided to invite the representatives of Argentina, Canada, Chile, Guatemala, Haiti, Peru, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2011/540)".

Resolution 2012 (2011)
of 14 October 2011

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006, 1702 (2006) of 15 August 2006, 1743 (2007) of 15 February 2007, 1780 (2007) of 15 October 2007, 1840 (2008) of 14 October 2008, 1892 (2009) of 13 October 2009, 1908 (2010) of 19 January 2010, 1927 (2010) of 4 June 2010 and 1944 (2010) of 14 October 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Recognizing that Haiti has made considerable strides since the tragic earthquake of 12 January 2010, in particular that, for the first time in its history, Haiti has experienced a peaceful transfer of power between one democratically elected president and another from the opposition,

Recognizing also, as has the Government of Haiti, that the overall security situation, while fragile, has improved since the adoption of resolutions 1908 (2010), 1927 (2010) and 1944 (2010), allowing a partial drawdown of the military and police capabilities of the United Nations Stabilization Mission in Haiti as the first step to ending the temporary surge capacities decided by the Security Council after the earthquake, while continuing to adapt the strength of the Mission without undermining the security and stability of Haiti, and recognizing the importance of condition-based and security-related decisions about the future of the Mission,

Welcoming the appointment of a Prime Minister and a Supreme Court President, and calling upon all the relevant political actors in Haiti, in particular the executive and legislative branches, to engage in an effective dialogue towards a political agreement that would consolidate a concrete forward agenda for progress in key areas, such as Haiti's security, budget, recovery and development priorities, elections and electoral reform, including the participation of women in the electoral processes and the completion of constitutional reform,

Acknowledging that Haiti continues to face significant humanitarian challenges, with more than 600,000 internally displaced persons still dependent on assistance for their basic survival, an ongoing cholera epidemic and an extreme vulnerability to natural disasters,

Emphasizing that progress in the recovery and reconstruction of Haiti, as well as in Haiti's social and economic development, including through effective international development assistance and increased Haitian institutional capacity to benefit from this assistance, is crucial to achieving lasting and sustainable stability, and reiterating the need for security to be accompanied by social and economic development,

Stressing the leading role of the Government of Haiti in the post-disaster recovery and reconstruction process, including risk reduction and preparedness efforts, and underlining the necessity for increased coordination and complementary efforts among all United Nations actors and other relevant stakeholders in assisting the Government in this regard, as well as in the overall support to Haiti's social and economic development,

Recognizing the work done so far by the Interim Haiti Recovery Commission, to which the United Nations continues to provide coherent policy advice and technical support, and also by the Haiti Reconstruction Fund, which both play a central role in the medium- and long-term reconstruction efforts in Haiti,

Commending the wide range of recovery efforts undertaken by the United Nations system in Haiti, especially the United Nations-supported housing and debris removal programmes and the successful use of military engineering units of the Mission to address urgent needs in the immediate aftermath of the 12 January 2010 earthquake, emphasizing the importance of increasing the participation of Haitian authorities and international and civilian actors in these tasks,

Urging donors to fulfil without delay the pledges made at the International Donors' Conference entitled "Towards a New Future for Haiti", held in New York on 31 March 2010, in order to continue producing tangible and visible reconstruction dividends, and underlining national responsibility to provide clear guidance and priorities,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti, and calling upon the Mission to continue to work closely with regional and subregional organizations, international financial institutions and other stakeholders, in particular the Organization of American States and the Caribbean Community,

Recognizing the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development is mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Expressing its concern that criminal gangs remain a threat to the stability of Haiti,

Recognizing that the overall security situation has improved, but further expressing its concern that trends since the earthquake reveal an increase in all major categories of crime, including murder, rape and kidnapping, in Port-au-Prince and the West Department,

Acknowledging that sexual and gender-based violence remains a serious concern, particularly in marginalized districts of Port-au-Prince, camps for internally displaced persons and remote areas of the country,

Welcoming the efforts of the Haitian National Police to increase patrolling and enhance its presence and direct engagement with the population, which may have contributed to an increase in the reporting of crimes,

Recognizing that strengthening national human rights institutions and respect for human rights, due process, combating criminality and sexual and gender-based violence, and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Recognizing also the critical role of the Mission in ensuring stability and security in Haiti and recognizing further the complementary roles that the Mission and the United Nations country team have fulfilled to date in assisting Haiti in its recovery efforts, reaffirming the authority of the Special Representative of the Secretary-General for Haiti in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti, and stressing the importance of the Special Representative ensuring further coordination between the Mission and the United Nations country team in connection with the aspects of their respective mandates that are correlated, with special attention to the strengthening of Haitian institutional capabilities, including in the areas of reconstruction and development,

Commending the Mission for continuing to assist the Government of Haiti to ensure a secure and stable environment, expressing its gratitude to the personnel of the Mission and to their countries, and paying tribute to those injured or killed in the line of duty,

Welcoming the commitment by the Government of Haiti to strengthen the rule of law, and calling upon the Government, in coordination with the international community, to continue to advance security sector reform, including, in particular, the development and implementation of the next five-year Haitian National Police development plan, which will take effect after December 2011, underscoring the need for the Government, with the assistance of the international community, as requested, to take steps to ensure that the Haitian National Police meets the benchmarks for reform contained in the plan, and encouraging the Government, with the support of the Mission, to regularly inform the Haitian people of progress towards these benchmarks,

Underscoring the importance of the Haitian National Police being adequately funded, and encouraging the Government of Haiti to take advantage of the support being provided by the international community to guarantee the provision of adequate security for the Haitian people,

Underlining the need to further strengthen the Haitian judicial and correctional systems, in order to support a more integrated and cohesive Haitian security sector, welcoming the improvements in the judiciary towards the availability of adequate human and material capabilities, and acknowledging that the attendant human rights concerns that still remain in the correctional system, such as prolonged pretrial detentions, prison overcrowding and access to health care services, are significant challenges to sustainable administrative reforms,

Welcoming the efforts of the former President of the United States of America, Mr. William J. Clinton, as the United Nations Special Envoy for Haiti, to enhance the United Nations recovery response, in both humanitarian and development operations as well as tracking aid pledges and disbursement of funds, liaising with the Interim Haiti Recovery Commission and the international financial institutions, and working to ensure coherence across United Nations operations in Haiti, and noting the importance of regular reporting on these activities,

Stressing the importance of a strong coordination among the Office of the Special Envoy and other United Nations entities and Member States, and stressing the need for coordination among all international actors on the ground,

Underlining the need for the implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services,

Welcoming the report of the Secretary-General of 25 August 2011,[164]

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007), 1840 (2008), 1892 (2009), 1908 (2010), 1927 (2010) and 1944 (2010), until 15 October 2012, with the intention of further renewal;

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[164] S/2011/540.

2. *Also decides* that the overall force levels of the Mission will consist of up to 7,340 troops of all ranks and a police component of up to 3,241 personnel, consistent with paragraph 50 of the report of the Secretary-General;[164]

3. *Affirms* that future adjustments to the force configuration should be based on the overall security situation on the ground, taking into account the impact of social and political realities on the stability and security of Haiti, the increasing development of Haitian State capabilities, including the ongoing strengthening of the Haitian National Police, and the national authorities' increasing exercise of the Haitian State's responsibility for the maintenance of stability and security in the country;

4. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, welcomes the steps taken by the Mission to provide logistical and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian capacity grows, and calls upon the Mission to proceed swiftly with activities in this regard as recommended by the Secretary-General;

5. *Welcomes* the efforts of the Government of Haiti to build institutional capacity in security and the rule of law at all levels, including through decentralization efforts, and calls upon the Mission, consistent with its mandate, and other relevant actors to continue to provide support to strengthen self-sustaining security sector State institutions, especially outside Port-au-Prince, with a view to further enhancing the ability of the Government to extend State authority throughout Haiti, ensure greater countrywide presence of the State, and promote good governance at local levels;

6. *Recognizes* that, following the holding of presidential and legislative elections, a stable political and institutional environment is crucial for stability and the progress of recovery and reconstruction efforts, reaffirms its call upon the Mission to support the political process under way in Haiti, including through the offices of the Special Representative of the Secretary-General for Haiti, and encourages the Mission to continue its support for the upcoming partial legislative and local elections and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States and the Caribbean Community;

7. *Welcomes* ongoing efforts by the Mission to increase coordination with the Haitian National Police and to strengthen the capacity of the National Police in order for the National Police to take full responsibility for Haiti's security needs, including border management and security efforts in order to assess threats and deter illicit activities, and calls upon Haiti's international and regional partners to intensify their assistance to the Government of Haiti in this regard, as requested;

8. *Encourages* the Haitian authorities to take full advantage of that support, notably in enhancing Haitian National Police capacity, modernizing key legislation and in the implementation of the national justice reform plan, to take the necessary steps, including nominations, that will allow superior judicial institutions to function adequately, and to address the issue of prolonged pretrial detentions and prison overcrowding, with special regard to women and children;

9. *Calls upon* the Government of Haiti, with the support of the Mission, to prioritize the development and implementation of the next five-year Haitian National Police development plan, which will succeed the current reform plan[165] upon its expiration in December 2011, and requests the Mission, with additional support, as appropriate and within existing resources, from locally

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[165] S/2006/726, enclosure.

employed interpreters to continue to support vetting, mentoring and training of the police and corrections personnel and strengthening the institutional and operational capacities of the correctional services, as well as to continue to provide technical guidance to donor-funded projects, as requested, for the rehabilitation and construction of police and correctional facilities;

10. *Welcomes* the resumption of training and promotions of recruits for the Haitian National Police, stresses the necessity of accountability and a robust vetting process, and underscores the vital importance of maintaining and increasing the support of the international community for capacity-building of the National Police, particularly through enhanced mentoring and training of specialized units;

11. *Encourages* the Mission, in cooperation with the appropriate international actors, to assist the Government of Haiti in tackling the risk of a resurgence in gang violence, organized crime, drug trafficking and trafficking in children;

12. *Calls upon* all donors and international and non-governmental organizations to coordinate their efforts and to work closely with the Interim Haiti Recovery Commission, or its successor institution, in order to strengthen the capacity of the Government of Haiti to fulfil the Action Plan for National Recovery and Development of Haiti;

13. *Requests* the United Nations country team, and calls upon all actors, to complement security and development operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the concerned populations, in particular women and children;

14. *Requests* the Mission to continue to implement quick-impact projects that further enhance the trust of the Haitian population towards the Mission;

15. *Encourages* the Mission to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence, and recalls Security Council resolution 1894 (2009) of 11 November 2009 and requests the Secretary-General to develop, in close consultation with the Government of Haiti, troop- and police-contributing countries and other relevant actors, a comprehensive plan for the protection of civilians;

16. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of women and girls, and calls upon the Government of Haiti, with the support of the Mission and the United Nations country team, to continue to promote and protect the rights of women and children as set out in Council resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005, 1820 (2008) of 19 June 2008, 1882 (2009) of 4 August 2009, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009;

17. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urges troop- and police-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

18. *Reaffirms* the human rights mandate of the Mission, recognizes that respect for human rights, in particular attention to individual accountability for grave violations under past governments, is essential to the stability of Haiti, urges the Government of Haiti to ensure the respect and protection of human rights by the Haitian National Police and the judiciary, and calls upon the Mission to provide monitoring and support in this regard;

19. *Welcomes* the important work done by the Mission in support of urgent needs in Haiti, encourages the Mission, within its mandate, to continue to make full use of existing means and capabilities, including its engineers, with a view to further enhancing stability in the

country, requests the Mission to develop its longer-term planning, and further requests the Secretary-General to include in his next report an indication of the Mission's plans to encourage greater Haitian ownership of reconstruction activity in Haiti;

20. *Requests* the Mission to continue to pursue its expanded community violence reduction approach, adapting the programme to the changing requirements of the post-earthquake Haitian context with a particular focus on the displaced and those living in violence-affected neighbourhoods;

21. *Also requests* the Mission to continue to support the Haitian authorities in their efforts to control the flow of small arms, including labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the development and implementation of a national community policing doctrine;

22. *Underscores* the importance of planning documents for the military and police components of the Mission, such as the concept of operations and rules of engagement, being regularly updated, as appropriate, and in line with the provisions of all its relevant resolutions, and requests the Secretary-General to report on them to the Council and troop- and police-contributing countries;

23. *Requests* the Secretary-General to report to the Council on the implementation of the mandate of the Mission, semi-annually and no later than forty-five days prior to its expiration;

24. *Also requests* the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti and give particular attention to the protective environment for all, in particular women and children, and progress in the sustainable resettlement of displaced persons, and to propose, as appropriate, options to reconfigure the composition of the Mission;

25. *Decides* to remain seized of the matter.

Adopted unanimously at the 6631st meeting.

Decisions

On 8 February 2012, the President of the Security Council addressed the following letter to the Secretary-General:[166]

> "I have the honour to inform you that the members of the Security Council have decided to send a mission to Haiti, from 13 to 16 February 2012. The mission will be led by Ambassador Susan Rice of the United States of America. The members of the Council have agreed on the terms of reference of the mission, which are annexed hereto.
>
> "Following consultations with the members, it has been agreed that the composition of the mission is as follows:
>
> "United States of America (Ambassador Susan Rice), head of mission
>
> "Azerbaijan (Ambassador Agshin Mehdiyev)
>
> "China (Mr. Yang Tao)
>
> "Colombia (Ambassador Néstor Osorio)
>
> "France (Ambassador Gérard Araud)
>
> "Germany (Ambassador Peter Wittig)
>
> "Guatemala (Ambassador Gert Rosenthal)

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[166] S/2012/82.

"India (Ambassador Hardeep Singh Puri)

"Morocco (Ambassador Mohammed Loulichki)

"Pakistan (Ambassador Raza Bashir Tarar)

"Portugal (Ambassador José Filipe Moraes Cabral)

"Russian Federation (Ambassador Nikita Zhukov)

"South Africa (Ambassador Baso Sangqu)

"Togo (Ambassador Kodjo Menan)

"United Kingdom of Great Britain and Northern Ireland (Ambassador Philip Parham)

"I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Terms of reference for the Security Council mission to Haiti, from 13 to 16 February 2012

"The terms of reference of the mission, led by Ambassador Susan Rice (United States of America), are as follows:

"Reaffirm the continued support of the Security Council for the Government and people of Haiti to rebuild their country, consolidate peace, democracy and stability and promote recovery and sustainable development, recognizing that Haiti has made considerable strides since the tragic earthquake of 12 January 2010 yet continues to face significant security, humanitarian and development challenges.

"Assess the implementation of relevant Council resolutions, in particular resolution 2012 (2011), and review the progress made by the Government of Haiti, with the assistance of the international community, particularly the United Nations Stabilization Mission in Haiti, in addressing the interconnected challenges in the areas of stability and security, including strengthening the rule of law and protecting civilians; economic and social development; institutional reform and governance, including elections; border management; and human rights.

"Express strong support for the Mission and the Special Representative of the Secretary-General for Haiti and their efforts to improve stability and governance in Haiti and create conditions conducive to the security, reconstruction and development of Haiti.

"Assess the ongoing strengthening of the Haitian National Police and the national authorities' increasing exercise of the Haitian State's responsibility for the maintenance of stability and security in the country, examine efforts by the Mission to increase coordination with the National Police and to strengthen the capacity of the National Police in order for it to take full responsibility for the security needs of Haiti, underscore the importance of the National Police being adequately funded, and encourage the Government of Haiti to take advantage of the support being provided by the international community to guarantee the provision of adequate security for the Haitian people. Assess the full range of Haiti's rule of law, security and security-related structures.

"Reiterate the importance of immediate, medium-term and long-term sustained efforts to support the reconstruction of Haiti, consolidate democracy, peace and stability, ensure the protection of human rights and promote sustainable development, while bearing in mind the ownership and primary responsibility of the Government and people of Haiti.

"Evaluate and discuss with the Government of Haiti progress in earthquake recovery, including the overall humanitarian situation, rubble removal, housing reconstruction and the rebuilding of critical infrastructure, and evaluate the impact of these efforts on security, stability and development; and assess the capacity of the Government and of the private sector to carry out civil engineering and reconstruction tasks, including consulting the Government on how capacity can be increased so that Haitians can take on a wider role in reconstruction.

"Review and assess the efforts of the Government of Haiti, with the support of the Mission and the cooperation of Member States, to address challenges to security, including threats to internally displaced persons and other vulnerable groups, sexual and gender-based violence, cross-border illicit trafficking in persons, drugs and arms, and other criminal activities.

"Urge all relevant political actors in Haiti, in particular the executive and the legislative branches, to engage in an effective dialogue towards a political agreement that would consolidate a concrete forward agenda for progress in key areas, such as Haiti's security, budget, recovery and development priorities, elections and electoral reform, including the participation of women in the electoral process and the completion of constitutional reform.

"Review the progress achieved so far and assess the state of planning and implementation of the upcoming legislative and local government elections.

"Underscore the importance of mutual commitments made by the international community and Haiti and convey the importance of the fulfilment of all pledges of support to the reconstruction of Haiti.

"Assess the impact of the health challenges facing Haiti on the country's security and stability and examine the efforts of the United Nations system, particularly the Mission, to assist the Government of Haiti in addressing emerging health issues.

"Underscore the importance of full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse and assess steps taken to implement this policy.

"Review progress of the implementation by the Mission of the force reduction authorized in resolution 2012 (2011), assess planning to encourage greater Haitian ownership of security and reconstruction activities, and examine the potential for adjustments to the force configuration of the Mission based on the overall improved security situation on the ground, taking into account the impact of social and political realities on the stability and security of Haiti, the increasing development of Haitian State capabilities, including the ongoing strengthening of the Haitian National Police, and the national authorities' increasing exercise of their responsibility for the maintenance of stability and security."

At its 6732nd meeting, on 8 March 2012, the Council decided to invite the representatives of Brazil, Canada, Chile, Haiti, Japan, Peru, Senegal, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2012/128 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mariano Fernández, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

On 27 March 2012, the President of the Security Council addressed the following letter to the Secretary-General:[167]

> "I have the honour to inform you that your letter dated 22 March 2012 concerning your intention to appoint Major General Fernando Rodrigues Goulart, of Brazil, as Force Commander of the United Nations Stabilization Mission in Haiti[168] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN BURUNDI[169]

Decisions

At its 6677th meeting, on 7 December 2011, the Security Council decided to invite the representative of Burundi to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Burundi
>
> > "Report of the Secretary-General on the United Nations Office in Burundi (S/2011/751)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Karin Landgren, Special Representative of the Secretary-General for Burundi and Head of the United Nations Office in Burundi, and Mr. Paul Seger, Permanent Representative of Switzerland to the United Nations and Chair of the Burundi configuration of the Peacebuilding Commission.

At its 6691st meeting, on 20 December 2011, the Council decided to invite the representative of Burundi to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Burundi
>
> > "Report of the Secretary-General on the United Nations Office in Burundi (S/2011/751)".

Resolution 2027 (2011)
of 20 December 2011

The Security Council,

Recalling its resolutions and the statements by its President on Burundi,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Welcoming the progress that Burundi has made towards peace, stability and development, and emphasizing the need for the United Nations system and the international community, including the international financial institutions and Burundi's development partners, to maintain their support for peace consolidation and long-term development in Burundi,

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[167] S/2012/180.

[168] S/2012/179.

[169] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

Taking note of the smooth transition from the United Nations Integrated Office in Burundi to the United Nations Office in Burundi, and commending the continued contribution of the United Nations to the peace, security and development of the country,

Encouraging the efforts of the Government of Burundi to create a space for all political parties and to continue improving dialogue between all relevant actors, including civil society,

Supporting the renewed commitment of Burundi to "zero tolerance" for corruption,

Welcoming the continued engagement of the Peacebuilding Commission in Burundi and the recent visit of the Chair of the Burundi configuration of the Commission, taking note of the April 2011 outcome document of the fifth review of the implementation of the Strategic Framework for Peacebuilding in Burundi[170] and of the briefing by the Chair of the Burundi configuration of the Commission on 7 December 2011,[171] and acknowledging the contribution that the Peacebuilding Fund has made to peacebuilding in Burundi,

Supporting the commitment of Burundi to regional integration, notably in the Economic Community of the Great Lakes Countries, the East African Community and the International Conference on the Great Lakes Region,

Recognizing the importance of transitional justice in promoting lasting reconciliation among all the people of Burundi, and noting with appreciation the completion of the work of the Technical Committee and the commitment of the Government of Burundi to establishing transitional justice mechanisms, consistent with the results of the 2009 national consultations, Security Council resolution 1606 (2005) of 20 June 2005 as well as the Arusha Agreement of 2000,

Welcoming the establishment of the Office of the Ombudsman and the National Independent Human Rights Commission,

Noting with grave concern continued human rights violations, in particular extrajudicial politically motivated killings and torture, and restrictions on civil liberties, including harassment, intimidation and restrictions on the freedom of expression, association and assembly of opposition political parties, media and civil society organizations,

Noting with great concern the attacks against civilians as well as security and defence forces in various parts of the country and the reports of paramilitary activities in neighbouring countries, and calling upon all those involved to put an end to such acts,

Calling upon the Government of Burundi to protect civil liberties and to fight impunity, particularly by ensuring that those responsible for incidents of torture, extrajudicial killings and mistreatment of detainees are brought to justice,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict,

Having considered the first report of the Secretary-General on the United Nations Office in Burundi,[172]

1. *Decides* to extend until 15 February 2013 the mandate of the United Nations Office in Burundi, as set out in paragraphs 3 (*a*) to (*d*) of resolution 1959 (2010) of 16 December 2010;

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[170] PBC/5/BDI/2.

[171] See S/PV.6677.

[172] S/2011/751.

2. *Decides also* that, in addition to paragraph 1 above, the United Nations Office in Burundi shall also continue to support the Government of Burundi in the following areas:

(*a*) Supporting the efforts of the Government and the international community to focus on the socioeconomic development of women and youth and the socioeconomic reintegration of conflict-affected populations in particular, and advocating for resource mobilization for Burundi;

(*b*) Providing support to Burundi's deepening regional integration, as requested;

3. *Recognizes* the primary responsibility of the Government of Burundi for peacebuilding, security and long-term development in the country, and encourages the Government to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, civilian protection, justice and the promotion and protection of human rights, with a special focus on the rights of women and children as well as marginalized and vulnerable minorities;

4. *Encourages* the Government of Burundi, with the support of the United Nations Office in Burundi and other international partners, to redouble its efforts to pursue structural reforms aimed at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth;

5. *Also encourages* the Government of Burundi to pursue its efforts of peace consolidation and reconstruction in a regional perspective, especially through projects fostering peace, reconciliation and exchanges within the East African Community, the Economic Community of the Great Lakes Countries and the International Conference on the Great Lakes Region;

6. *Underscores* the importance of security sector reform, and urges all international partners, together with the United Nations Office in Burundi, to continue supporting the efforts of the Government of Burundi to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence, and with a view to consolidating security sector governance;

7. *Calls upon* the Government of Burundi, with the support of the United Nations Office in Burundi and its national and international partners, to finalize the new poverty reduction strategy paper, with clear peacebuilding priorities and an implementation plan;

8. *Encourages* the Government of Burundi, the Peacebuilding Commission and Burundi's national and international partners to honour their commitments made under the outcome document of the fifth review of the implementation of the Strategic Framework for Peacebuilding in Burundi[170] and to review these commitments when the new poverty reduction strategy paper is finalized to determine how the Commission can best contribute to Burundi's peacebuilding priorities;

9. *Calls upon* the Government of Burundi to take all steps necessary to prevent further human rights violations and to take measures to ensure that those responsible for such violations are swiftly brought to justice;

10. *Stresses* the need for a thorough, credible, impartial and transparent investigation of serious crimes, in particular extrajudicial killings, and calls upon the authorities of Burundi to put an end to such criminal acts and to ensure that those responsible are brought to justice;

11. *Calls upon* the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and, together with its international partners, to support the newly established National Independent Human Rights Commission and the Office of the Ombudsman, and further encourages the Government to continue its fight against impunity and to take the measures necessary to ensure that its citizens fully enjoy their civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and in accordance with international human rights law;

12. *Encourages* the Government of Burundi, with the support of international partners and the United Nations Office in Burundi as appropriate, to establish transitional justice mechanisms, including the establishment of a Truth and Reconciliation Commission, in accordance with the results of the work of the Technical Committee, the 2009 national consultations, Security Council resolution 1606 (2005) as well as the Arusha Agreement of 2000;

13. *Takes note* of the progress reported by the Secretary-General in the development of benchmarks for the future evolution of the United Nations Office in Burundi into a United Nations country team presence, and requests to be updated on these by 31 May 2012;

14. *Requests* the Secretary-General to keep the Council informed on the implementation of the mandate of the United Nations Office in Burundi and the present resolution, with a briefing by the end of July 2012 and a report by 18 January 2013;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6691st meeting.

Decisions

On 5 June 2012, the President of the Security Council addressed the following letter to the Secretary-General:[173]

> "I have the honour to inform you that your letter dated 1 June 2012 concerning your intention to appoint Mr. Parfait Onanga-Anyanga, of Gabon, as your Special Representative for Burundi and Head of the United Nations Office in Burundi[174] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6799th meeting, on 5 July 2012, the Council decided to invite the representative of Burundi to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Karin Landgren, Special Representative of the Secretary-General for Burundi and Head of the United Nations Office in Burundi, and Mr. Paul Seger, Permanent Representative of Switzerland to the United Nations and Chair of the Burundi configuration of the Peacebuilding Commission.

On 26 July 2012, the President of the Security Council addressed the following letter to the Secretary-General:[175]

> "I have the honour to inform you that your letter dated 10 May 2012,[176] by which you conveyed to the Security Council the benchmarks and indicators developed for the future evolution of the United Nations Office in Burundi into a United Nations country team presence, as requested by the Council in resolutions 1959 (2010) and 2027 (2011), has been brought to the attention of the members of the Council.
>
> "The members of the Council support those benchmarks and they look forward to the provision by the United Nations Office in Burundi, within six months, of baseline data and assessments for each issue, including observations on timing, trends and the role of the Office in implementation, as described by your Special Representative for Burundi at the 6799th meeting of the Council, on 5 July 2012."

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[173] S/2012/398.

[174] S/2012/397.

[175] S/2012/584.

[176] S/2012/310.

THE SITUATION IN AFGHANISTAN[177]

Decisions

At its 6625th meeting, on 29 September 2011, the Security Council decided to invite the representatives of Afghanistan (Minister for Foreign Affairs), Australia, Canada, Japan, Kyrgyzstan, Pakistan and Turkey to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/590)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Staffan de Mistura, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At its 6629th meeting, on 12 October 2011, the Council decided to invite the representative of Afghanistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 2011 (2011)
of 12 October 2011

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1510 (2003) of 13 October 2003, 1943 (2010) of 13 October 2010 and 1974 (2011) of 22 March 2011,

Reaffirming also its resolutions 1267 (1999) of 15 October 1999, 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001, 1822 (2008) of 30 June 2008, 1904 (2009) of 17 December 2009 and 1988 (2011) and 1989 (2011) of 17 June 2011, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, and its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, and noting as well the report of the Secretary-General on children and armed conflict in Afghanistan[178] and the subsequent conclusions of its Working Group on Children and Armed Conflict,[179]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

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[177] Resolutions or decisions on this question were first adopted by the Security Council in 1994.

[178] S/2011/55.

[179] S/AC.51/2011/3.

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghan authorities, stressing the role of the International Security Assistance Force in assisting the Government of Afghanistan to improve the security situation and build its own security capabilities, and welcoming the cooperation of the Government with the Force,

Welcoming the communiqués of the London Conference on Afghanistan, held on 28 January 2010,[180] and the Kabul International Conference on Afghanistan, held on 20 July 2010, which set a clear agenda and agreed priorities for the way ahead on Afghanistan, and underlining the pivotal importance of strengthening Afghan ownership and leadership, consistent with the Kabul Process, in all fields of governance,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as the cross-cutting issues of counter-narcotics, anti-corruption and accountability, is mutually reinforcing and that governance and development programmes prioritized for implementation in transition should be consistent with the goals set forth in the Kabul Process and the national priority programmes, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Stressing, in this context, the need for further efforts by the Government of Afghanistan to fight corruption, promote transparency and increase its accountability, in line with the commitment of the Government to strengthen measures to combat corruption after the London and Kabul Conferences,

Underlining the significance of the agreement reached between the Government of Afghanistan and countries contributing to the International Security Assistance Force at the North Atlantic Treaty Organization summit held in Lisbon on 19 and 20 November 2010 to gradually transfer lead security responsibility in Afghanistan to the Government country-wide by the end of 2014, welcoming the ongoing implementation of the first phase of transition and looking forward to the phased extension of the process to the rest of the country, underlining the continuing role of the Force, in support of the Government, in promoting a responsible transition and the importance of the enhancement of the capabilities of the Afghan National Security Forces, stressing the long-term commitment, beyond 2014, of the international community to support the further development, including training, and professionalization of the Afghan National Security Forces and their capacity to counter continued threats to Afghanistan's security, with a view to lasting peace, security and stability, and noting that these issues will be discussed at the forthcoming North Atlantic Treaty Organization summit in Chicago, United States of America,

Welcoming the long-term commitments undertaken by Afghanistan's international partners, including the North Atlantic Treaty Organization and the European Union, neighbouring States and regional partners to continue supporting Afghanistan beyond transition, stressing the importance of their complementary nature, including with future bilateral partnerships decided upon by the Government of Afghanistan,

Looking forward to the International Afghanistan Conference on Afghanistan and the International Community: From Transition to the Transformation Decade, to be held in Bonn, Germany, on 5 December 2011, at which civil aspects of transition, the long-term commitment of the international community in Afghanistan within the region and the support of the political process will be further defined,

Also looking forward to the Conference on Security and Cooperation in the Heart of Asia, which will be held in Istanbul, Turkey, on 2 November 2011,

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[180] S/2010/65, annex II.

Noting regional initiatives, such as those being implemented within the framework of the Shanghai Cooperation Organization, the Collective Security Treaty Organization, the European Union, the Organization for Security and Cooperation in Europe, the South Asian Association for Regional Cooperation and other relevant initiatives aimed at increased regional economic cooperation with Afghanistan, such as the vision of the New Silk Road, and looking forward to the Fifth Regional Economic Cooperation Conference on Afghanistan, to be held in Tajikistan on 26 and 27 March 2012,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, noting in this context the synergies in the objectives of the United Nations Assistance Mission in Afghanistan and of the International Security Assistance Force, and, as transition moves forward, stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities and the evolving nature of the presence of the international community,

Expressing its serious concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, other illegal armed groups and criminals, including those involved in the narcotics trade, as described in the reports of the Secretary-General since the adoption of resolution 1943 (2010), and the strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, as well as to the national security forces and international military and civilian personnel,

Welcoming the efforts of the Government of Afghanistan to update and improve the National Drug Control Strategy,[181] with a particular emphasis on a partnership approach to ensure joint, effective implementation and coordination, encouraging the International Security Assistance Force to further effectively support, within its designated responsibilities, Afghan-led sustained efforts to address drug production and trafficking, in cooperation with relevant international and regional actors, and recognizing the threat posed by illicit drug production, trade and trafficking to international peace and stability in different regions of the world, and the important role played by the United Nations Office on Drugs and Crime in this regard,

Expressing its concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other violent and extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the full enjoyment of their human rights and fundamental freedoms,

Reiterating its support for the continuing endeavours of the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, to improve the security situation and to continue to address the threat posed by the Taliban, Al-Qaida and other violent and extremist groups, and stressing in this context the need for sustained international efforts, including those of the Force and the coalition,

Condemning in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks, assassinations and abductions, indiscriminate targeting of civilians, attacks against humanitarian workers and targeting of Afghan and international forces, and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban, Al-Qaida and other violent and extremist groups of civilians as human shields,

Condemning in particular the recent terrorist attacks against the InterContinental Hotel, the British Council building, the International Security Assistance Force headquarters and the Embassy of the United States of America in Kabul, and deploring the loss of life in these attacks, including of Afghan civilians, police and security forces,

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[181] S/2006/106, annex.

Welcoming the achievements of the Government of Afghanistan in banning ammonium nitrate fertilizer, and urging continued action to implement regulations for the control of all explosive materials and precursor chemicals, thereby reducing the ability of insurgents to use them for improvised explosive devices,

Noting the ratification by Afghanistan of the Convention on Cluster Munitions,[182]

Recognizing the continuing threats posed by the Taliban, Al-Qaida and other violent and extremist groups, as well as the challenges related to the efforts to address such threats,

Expressing its serious concern about the increased high number of civilian casualties in Afghanistan, in particular casualties among women and children, the increasingly large majority of which are caused by the Taliban, Al-Qaida and other violent and extremist groups, reaffirming that all parties to armed conflict must take all feasible steps to ensure the protection of affected civilians, especially women, children and displaced persons, calling for all parties to comply with their obligations under international humanitarian and human rights law and for all appropriate measures to be taken to ensure the protection of civilians, recognizing the importance of the ongoing monitoring of and reporting to the Security Council, including by the International Security Assistance Force, on the situation of civilians and, in particular, civilian casualties, and noting in this regard the work of the Force's Civilian Casualty Tracking Cell,

Taking note of the further progress made by the International Security Assistance Force and other international forces in minimizing civilian casualties, as recognized in the 2011 midyear report of the United Nations Assistance Mission in Afghanistan on the protection of civilians in armed conflict, urging the International Security Assistance Force and other international forces to continue to undertake enhanced efforts to prevent civilian casualties, including the increased focus on protecting the Afghan population as a central element of the mission, and noting the importance of conducting continuous reviews of tactics and procedures and after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate,

Expressing its strong concern about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, supporting the decree by the Minister of the Interior of 6 July 2011 reaffirming the commitment of the Government of Afghanistan to preventing violations of the rights of the child, welcoming the establishment of the Inter-Ministerial Steering Committee for the Protection of the Rights of Children and the subsequent signing by the Government of an action plan, and the annexes thereto, on children associated with national security forces in Afghanistan, and calling for the full implementation of the provisions of the action plan, in close cooperation with the United Nations Assistance Mission in Afghanistan,

Acknowledging the progress made and the challenges remaining in security sector reform and governance, welcoming the support and assistance extended to the Afghan National Police by the international partners in this regard, in particular the continued commitment of the North Atlantic Treaty Organization Training Mission–Afghanistan, the European Gendarmerie Force contribution to this mission and assistance extended to the Afghan National Police, including through the European Union Police Mission in Afghanistan and, in the context of transition, welcoming the increased capacities and capabilities of the Afghan National Security Forces, stressing the need for Afghanistan, together with international donors, to further strengthen the Afghan National Army and the Afghan National Police, and urging, inter alia, continued professional training measures to ensure Afghan capability to assume, in a sustainable manner, increasing responsibilities and leadership of security operations and maintain public order, law enforcement, the security of Afghanistan's borders and the preservation of the constitutional rights of Afghan citizens, as well as to increase its efforts in the disbandment of illegal armed groups and counter-narcotics, as outlined in the London Conference and Kabul Conference communiqués,

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[182] A/C.1/63/5, enclosure, part II.

Stressing, in this context, the importance of further progress by the Government of Afghanistan in ending impunity and strengthening judicial institutions, in the reconstruction and reform of the prison sector, and the rule of law and respect for human rights within Afghanistan, including for women and girls, and, in particular, women's rights under the Constitution to fully participate in the political, economic and social spheres of Afghan life,

Reiterating its call upon all Afghan parties and groups to engage constructively in peaceful political dialogue within the framework of the Afghan Constitution, to work together with international donors for the socioeconomic development of the country and to avoid resorting to violence, including through the use of illegal armed groups, supporting the aims of the High Peace Council,

Strongly condemning the assassination of Professor Burhanuddin Rabbani, Chairman of the High Peace Council, emphasizing the importance of all States with relevant information extending to the Afghan authorities the assistance they may need and all relevant information they may possess pertaining to this terrorist attack, stressing the need for calm and solidarity in Afghanistan at this time and for all parties to reduce tensions, and reiterating its firm commitment to support the Government of Afghanistan in its efforts to advance the peace and reconciliation process, in line with the Kabul Conference communiqué and within the framework of the Afghan Constitution and application of the procedures introduced by the Security Council in its resolution 1988 (2011) as well as other relevant resolutions of the Council,

Stressing the importance of a comprehensive political process in Afghanistan to support reconciliation for all those who are prepared to meet the conditions for reconciliation in the Kabul Conference communiqué supported by the Government of Afghanistan and the international community, with full respect for the implementation of measures and application of the procedures introduced by the Council in its resolutions 1267 (1999) and 1988 (2011) as well as other relevant resolutions of the Council, calling upon all relevant States to remain engaged in the peace process, and recognizing the impact terrorist attacks have on the Afghan people and risk having on future prospects for a peace settlement,

Recognizing that an increased number of Taliban have reconciled with the Government of Afghanistan, have rejected the terrorist ideology of Al-Qaida and its followers and support a peaceful resolution to the continuing conflict in Afghanistan, recognizing also that notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, security remains a serious challenge in Afghanistan and the region,

Recognizing also the increased number of reintegrees who have joined the Afghan Peace and Reintegration Programme, welcoming the results of the review conference of the Programme held in May 2011 and recent efforts to ensure its implementation, encouraging further efforts to address remaining operational challenges, including through an appropriate vetting mechanism, and further encouraging the international community to support this Afghan-led effort,

Welcoming the settlement of the institutional impasse after the decision to leave the Independent Electoral Commission with the final authority in electoral questions, reiterating the commitment of the Government of Afghanistan in the Kabul Conference communiqué to address long-term electoral reform, based on lessons learned in previous elections, including the 2010 parliamentary elections, and reaffirming that Afghanistan's peaceful future lies in the building of a stable, secure, economically self-sufficient State, free of terrorism and narcotics, based on strengthened democratic institutions, respect for the separation of powers, reinforced constitutional checks and balances and the guarantee and enforcement of citizens' rights and obligations,

Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization, the Collective Security Treaty

Organization and the South Asian Association for Regional Cooperation, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, and welcoming and supporting increased regional efforts towards the continued implementation of previous declarations of good-neighbourly relations,

Welcoming the efforts of the international community carried out to strengthen the coherence of military and civilian actions, including those within the framework of the International Security Assistance Force,

Welcoming also the continued coordination between the International Security Assistance Force and the Operation Enduring Freedom coalition, and in-theatre cooperation established between the Force and the European Union presence in Afghanistan,

Expressing its appreciation for the leadership provided by the North Atlantic Treaty Organization and for the contributions of many nations to the International Security Assistance Force and to the Operation Enduring Freedom coalition, which operates within the framework of the counter-terrorism operations in Afghanistan and in accordance with the applicable rules of international law,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in coordination with the Government of Afghanistan,

Acting, for these reasons, under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386 (2001) and 1510 (2003), for a period of twelve months, until 13 October 2012;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need for the International Security Assistance Force to meet all its operational requirements, welcomes the agreement between the Government of Afghanistan and countries contributing to the Force to gradually transfer lead security responsibility in Afghanistan to the Government country-wide by the end of 2014, and the start of the transition process in July 2011, and calls upon Member States to contribute personnel, equipment and other resources to the Force and to continue to pursue their efforts to support security and stability in Afghanistan;

4. *Welcomes* the Enduring Partnership Declaration agreed by the North Atlantic Treaty Organization and the Government of Afghanistan at the Lisbon summit in November 2010 and, in particular, the intention expressed therein to provide, within the framework of the Enduring Partnership, sustained practical support aimed at improving and sustaining Afghanistan's capacity and capability to tackle continued threats to its security, stability and integrity, and to contribute to the security of the region through the stabilization of the situation in Afghanistan;

5. *Stresses* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages the International Security Assistance Force and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, sustainable, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police;

6. *Calls upon* the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization to continue to work in close consultation

with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council resolution 1974 (2011), as well as with the Operation Enduring Freedom coalition, in the implementation of the mandate of the Force;

7. *Requests* the leadership of the International Security Assistance Force to keep the Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6629th meeting.

Decisions

On 23 November 2011, the President of the Security Council addressed the following letter to the Secretary-General:[183]

> "I have the honour to inform you that your letter dated 22 November 2011 concerning your intention to appoint Mr. Ján Kubiš, of Slovakia, as your Special Representative for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan[184] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6690th meeting, on 19 December 2011, the Council decided to invite the representatives of Afghanistan (Deputy Minister for Foreign Affairs), Australia, Canada, Iran (Islamic Republic of), Japan, Liechtenstein, Malaysia, New Zealand, Norway, Pakistan and Turkey to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2011/772)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under- Secretary-General for Peacekeeping Operations, and Mr. Staffan de Mistura, former Special Representative of the Secretary-General for Afghanistan and former Head of the United Nations Assistance Mission in Afghanistan.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[185]

> "The Security Council welcomes the International Afghanistan Conference on Afghanistan and the International Community: From Transition to the Transformation Decade, held in Bonn, Germany, on 5 December 2011 and its conference conclusions.[186]

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[183] S/2011/734.

[184] S/2011/733.

[185] S/PRST/2011/22.

[186] S/2011/762, annex.

"The Council welcomes also the declaration in Bonn that the process of transition, to be completed by the end of 2014, should be followed by a decade of transformation (2015–2024) in which Afghanistan consolidates its sovereignty by strengthening a fully functioning, sustainable State in the service of its people.

"The Council welcomes, furthermore, against this background, the strategic consensus between Afghanistan and the international community on a renewed and enduring partnership for this transformation decade which entails firm mutual commitments.

"The Council notes that the process of transition entails the assumption of the leadership responsibility by the Government of Afghanistan.

"The Council commends the outcome of the Conference on Security and Cooperation in the Heart of Asia, held in Istanbul, Turkey, on 2 November 2011.

"The Council underlines the crucial role of the United Nations in Afghanistan, expresses its gratitude for Mr. Staffan de Mistura's outstanding contribution to the work of the United Nations Assistance Mission in Afghanistan, and looks forward to working with the incoming Special Representative of the Secretary-General for Afghanistan, Mr. Ján Kubiš.

"The Council welcomes the intention of the Government of Japan to host a ministerial conference in Tokyo in July 2012."

At its 6735th meeting, on 20 March 2012, the Council decided to invite the representatives of Afghanistan, Australia, Canada, Finland, Japan, Norway and Turkey to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2012/133)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ján Kubiš, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At its 6738th meeting, on 22 March 2012, the Council decided to invite the representative of Afghanistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2012/133)".

Resolution 2041 (2012)
of 22 March 2012

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1974 (2011) of 22 March 2011, in which it extended until 23 March 2012 the mandate of the United Nations Assistance Mission in Afghanis[illegible]s established by resolution 1662 (2006) of 23 March 2006, *Reaffirming its strong commitment* to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reiterating its support for the transition (Inteqal) process which will entail the assumption of full responsibility by Afghanistan's institutions in the security sector, consistent with the London, Kabul and Bonn Conferences and the Lisbon summit, recognizing that transition is not only a security process but also entails the full assumption of Afghan leadership and ownership in governance and development, and affirming that the United Nations support in Afghanistan takes full account of the transition process in Afghanistan,

Emphasizing the Kabul Process towards the primary objective of accelerated Afghan leadership and ownership, strengthened international partnership and regional cooperation, improved Afghan governance, enhanced capabilities of Afghan security forces, economic growth and better protection for the rights of all Afghan citizens, including women, and welcoming specifically the commitments made by the Government of Afghanistan,

Stressing the importance of a comprehensive approach to address the security, economic, governance and development challenges in Afghanistan, which are of an interconnected nature, and recognizing that there is no purely military solution to ensure the stability of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country and strengthen the foundations of sustainable peace and constitutional democracy,

Welcoming the International Afghanistan Conference on Afghanistan and the International Community: From Transition to the Transformation Decade, held in Bonn, Germany, on 5 December 2011 and its conference conclusions,[186] as well as the declaration in Bonn that the process of transition, to be completed by the end of 2014, should be followed by a decade of transformation (2015–2024), and welcoming further the strategic consensus between Afghanistan and the international community on a renewed and enduring partnership for this transformation decade based on firm mutual commitments,

Looking forward to the ministerial conference on Afghanistan to be held in Tokyo in July 2012, which will address the commitments of the international community and its support towards the sustainable economic development of Afghanistan through the transition period and beyond, built upon the firm mutual commitments within the Bonn Conference conclusions which also recognized the need for the Government of Afghanistan to take forward governance and economic reforms,

Reaffirming specifically in this context its support for the implementation, under the leadership and ownership of the Afghan people, of the commitments set out in the communiqués of the London Conference on Afghanistan, held on 28 January 2010,[180] and the Kabul International Conference on Afghanistan, held on 20 July 2010, of the Afghanistan National Development Strategy and of the National Drug Control Strategy,[181] as part of the comprehensive strategy to be taken forward by the Government of Afghanistan with the support of the region and the international community and with a central and impartial coordinating role for the United Nations, consistent with the Kabul Process and in line with the national priority programmes,

Welcoming the Third Ministerial Conference of the Paris Pact Partners on Combating Illicit Traffic in Opiates Originating in Afghanistan, held in Vienna on 16 February 2012, taking note of the Vienna Declaration,[187] and emphasizing the aim of the Paris Pact to establish a broad international coalition to combat illicit traffic in opiates, as part of a comprehensive approach to peace, stability and development in Afghanistan, the region and beyond,[188]

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[187] See E/CN.7/2012/17.

[188] See S/2003/641, annex.

Stressing the crucial importance of advancing regional cooperation as an effective means to promote security, stability and economic and social development in Afghanistan, recalling the importance of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002,[189] welcoming in this regard the continued commitment of the international community to support stability and development in Afghanistan, noting international and regional initiatives, such as the Istanbul "Heart of Asia" summits, the quadrilateral summits of Afghanistan, Pakistan, Tajikistan and the Russian Federation, the trilateral summit of Afghanistan, the Islamic Republic of Iran and Pakistan, held in Islamabad on 16 and 17 February 2012, as well as initiatives by the Shanghai Cooperation Organization, the Collective Security Treaty Organization and the South Asian Association for Regional Cooperation, and looking forward to the Fifth Regional Economic Cooperation Conference on Afghanistan, to be held in Tajikistan on 26 and 27 March 2012,

Commending the outcome of the Conference on Security and Cooperation in the Heart of Asia, held in Istanbul, Turkey, on 2 November 2011, at which Afghanistan and its regional partners, with the support of the international community, affirmed their commitment to strengthening regional security and cooperation for a secure and stable Afghanistan, including through enhanced regional dialogue and confidence-building measures, looking forward to the first follow-up to the Istanbul Conference, scheduled to convene at the ministerial level in Kabul on 14 June 2012, and welcoming also, in this regard, the holding of the first senior officials preparatory meeting, on 29 February 2012, in Kabul,

Looking forward to the international conference on Afghan refugees on 2 and 3 May 2012 in Geneva, and a successful outcome for the population of Afghan refugees and returnees in the region, which is aiming to adopt a road map for action,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, including, jointly with the Government of Afghanistan, the coordination and monitoring of efforts in implementing the Kabul Process through the Joint Coordination and Monitoring Board in support of the priorities set up by the Government, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and, in particular, the women and men of the Mission who are serving in difficult conditions to help the people of Afghanistan,

Expressing its appreciation to the Secretary-General for the comprehensive review undertaken in accordance with the request in paragraph 43 of Security Council resolution 1974 (2011), and taking due note of its findings as contained in the report of the Secretary-General of 5 March 2012 on Afghanistan,[190]

Reaffirming that, consistent with the transition process, the role of international actors will evolve further from direct service delivery to support and capacity-building for Afghan institutions, enabling the Government of Afghanistan to exercise its sovereign authority in all its functions, including the phasing out of all provincial reconstruction teams, as well as the dissolution of any structures duplicating the functions and authority of the Government at the national and subnational levels,

Stressing the importance of a comprehensive and inclusive, Afghan-led and Afghan-owned political process in Afghanistan to support reconciliation for all those who are prepared to reconcile as laid down in the Kabul Conference communiqué and further elaborated in the Bonn Conference conclusions supported by the Government of Afghanistan and the international community, with full respect for the implementation of measures and application of the procedures introduced by the Council in its resolutions 1267 (1999) of 15 October 1999 and 1988 (2011) of 17 June 2011, as well as other relevant resolutions of the Council, and noting in this context the establishment of the Security Council Committee pursuant to resolution 1988 (2011),

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[189] S/2002/1416, annex.

[190] S/2012/133.

Recalling the support of the Traditional Loya Jirga in November 2011 to the reconciliation process of the Government of Afghanistan, and supporting the aims of the High Peace Council and its outreach efforts both within and outside Afghanistan,

Recalling also the commitments made by the Government of Afghanistan at the Kabul Conference to strengthening and improving Afghanistan's electoral process, including long-term electoral reform, in order to ensure that future elections will be transparent, credible and democratic, and reaffirming that Afghanistan's peaceful future lies in the building of a stable, secure, economically sustainable State, free of terrorism and narcotics and based on the rule of law, strengthened democratic institutions, respect for the separation of powers, reinforced constitutional checks and balances and the guarantee and enforcement of citizens' rights and obligations,

Welcoming the contribution of the International Contact Group on Afghanistan to the United Nations efforts in coordinating and broadening international support for Afghanistan,

Emphasizing once again the agreement reached at the North Atlantic Treaty Organization summit held in Lisbon on 19 and 20 November 2010 between the Government of Afghanistan and countries contributing to the International Security Assistance Force to gradually transfer full security responsibility in Afghanistan to the Afghan National Security Forces country-wide by the end of 2014, taking note of the Enduring Partnership Declaration, signed by the North Atlantic Treaty Organization and the Government of Afghanistan in Lisbon on 20 November 2010, acknowledging the joint efforts under the Inteqal (transition) process, welcoming the progress made so far in the implementation of the first and second tranches of transition, and looking forward to the phased and responsible extension of the process to the rest of the country,

Underlining the importance of operationally capable, professional and sustainable Afghan National Security Forces for meeting Afghanistan's security needs, with a view to lasting peace, security and stability, stressing the long-term commitment, beyond 2014, and into the transformation decade (2015–2024), of the international community to supporting the further development, including training, and professionalization of the Afghan National Security Forces,

Looking forward to the discussion on Afghanistan at the forthcoming North Atlantic Treaty Organization summit in Chicago, United States of America,

Recognizing that security gains must be supported by progress in Afghan governance and development capacity, noting in this context the synergies in the objectives of the Mission and of the International Security Assistance Force as also noted in resolution 2011 (2011) of 12 October 2011, and stressing the need for optimized cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as the cross-cutting issues of anti-corruption, counter-narcotics and transparency, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Reiterating the need for all United Nations agencies, funds and programmes, through the country team mechanism and a "One United Nations" approach under the guidance of the Special Representative of the Secretary-General for Afghanistan, to increase efforts, in full consultation and cooperation with the Government of Afghanistan, to achieve greater coherence, coordination, efficiency and full alignment with the national priority programmes identified by the Government,

Welcoming the efforts of countries that are increasing their civilian, including humanitarian, efforts to assist the Government and the people of Afghanistan, and encouraging the international community to further enhance its contributions in a coordinated manner with the Afghan authorities and the Mission, with a view to strengthening Afghan leadership and ownership, including at the Tokyo conference in July 2012, *Stressing* the need to further improve the reach, quality and quantity of humanitarian aid, ensuring efficient, effective and timely coordination and delivery of humanitarian assistance, including through enhanced coordination among the United Nations agencies, funds and programmes under the authority of the Special Representative and between the United Nations and other donors, especially where it is most needed, and supporting the Government of Afghanistan to increasingly take the lead in coordinating humanitarian assistance to its citizens,

Emphasizing the need for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence,

Reiterating its concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida and other violent and extremist groups, illegal armed groups, criminals and those involved in the production of or trafficking or trade in illicit drugs, and the strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Recognizing the continuously alarming threats posed by the Taliban, Al-Qaida and other violent and extremist groups and illegal armed groups, as well as the challenges related to the efforts to address such threats, and expressing its serious concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other violent and extremist groups and illegal armed groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the improvement and protection of their human rights and fundamental freedoms,

Recalling its resolutions 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, expressing its serious concern about the increased high number of civilian casualties in Afghanistan, in particular casualties among women and children, the increasingly large majority of which are caused by the Taliban, Al-Qaida and other violent and extremist groups and illegal armed groups, reaffirming that all parties to armed conflict must take all feasible steps to ensure the protection of civilians, calling for all parties to comply with their obligations under international law, including international humanitarian and human rights law, and for all appropriate measures to be taken to ensure the protection of civilians, and recognizing the importance of the ongoing monitoring of and reporting to the Council, including by the International Security Assistance Force, on the situation of civilians and, in particular, civilian casualties, taking note of the progress made by Afghan and international forces in minimizing civilian casualties, as recognized in the report of the Mission of 4 February 2012 on the protection of civilians in armed conflict,

Expressing its concern about the serious threat that anti-personnel mines, remnants of war and improvised explosive devices pose to the civilian population, and stressing the need to refrain from the use of weapons and devices prohibited by international law,

Encouraging the international community and regional partners to further effectively support Afghan-led sustained efforts to address drug production and trafficking, notably through the working group on counter-narcotics of the Joint Coordination and Monitoring Board, as well as regional initiatives, recognizing the threat posed by illicit drug production, trade and trafficking to international peace and stability in different regions of the world, and the important role played by the United Nations Office on Drugs and Crime in this regard, and stressing the important role of the United Nations in continuing to monitor the drug situation in Afghanistan,

Supporting the continued ban by the Government of Afghanistan of ammonium nitrate fertilizer, urging prompt action to implement regulations for the control of all explosive materials and precursor chemicals, thereby reducing the ability of insurgents to use them for improvised explosive devices, and calling upon the international community to support the efforts of the Government in this regard,

Recalling the declaration addressed to the International Narcotics Control Board by the Government of Afghanistan that there is no legal use for acetic anhydride in Afghanistan for the time being and that producing and exporting countries should abstain from authorizing the export of this substance to Afghanistan without a request from the Government,[191] and encouraging, pursuant to resolution 1817 (2008) of 11 June 2008, Member States to increase their cooperation with the Board, notably by complying fully with the provisions of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, of 1988,[192]

Recalling also its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, and its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, and taking note of the report of the Secretary-General on children and armed conflict in Afghanistan,[178] as well as the conclusions of the Security Council Working Group on children and armed conflict,[179]

1. *Welcomes* the report of the Secretary-General of 5 March 2012;[190]

2. *Expresses its appreciation* for the United Nations long-term commitment to support the Government and people of Afghanistan, and reiterates its full support for the work of the United Nations Assistance Mission in Afghanistan and the Special Representative of the Secretary-General for Afghanistan;

3. *Decides* to extend until 23 March 2013 the mandate of the Mission, as defined in its resolutions 1662 (2006), 1746 (2007) of 23 March 2007, 1806 (2008) of 20 March 2008, 1868 (2009) of 23 March 2009, 1917 (2010) of 22 March 2010 and 1974 (2011) and in paragraphs 4 to 7 below;

4. *Recognizes* that the renewed mandate of the Mission takes full account of the Inteqal (transition) process and is in support of the full assumption by Afghanistan of leadership and ownership in the security, governance and development areas, consistent with the understandings reached between Afghanistan and the international community at the London, Kabul and Bonn Conferences and the Lisbon summit;

5. *Calls upon* the United Nations, with the support of the international community, to support the Government of Afghanistan's national priority programmes covering the issues of security, governance, justice and economic and social development and to support the full implementation of mutual commitments made on these issues at the Kabul and London Conferences, and reaffirmed as part of the strategic consensus at the Bonn Conference, as well as on continuing implementation of the National Drug Control Strategy,[181] and requests that the Mission, in an increasingly enabling function, assist the Government on its way towards ensuring full Afghan leadership and ownership, as defined by the Kabul Process;

6. *Decides* that the Mission and the Special Representative, within their mandate and guided by the principle of reinforcing Afghan sovereignty, leadership and ownership, shall continue to lead and coordinate the international civilian efforts, in accordance with the London[180] and Kabul Conference communiqués and the Bonn Conference conclusions,[186] and with a particular focus on the priorities laid down below:

(*a*) Promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the development and governance priorities of the Government of Afghanistan, including through support for the ongoing development and sequencing of the national priority programmes, mobilization of resources, coordination of international donors and organizations, and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities; at the same time, support efforts to increase the proportion of development aid delivered through the Government, in line with the commitments made at the Kabul Conference, and support efforts to increase the transparency and effectiveness of the use of such resources by the Government;

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[191] See S/2009/235, annex.

[192] United Nations, *Treaty Series*, vol. 1582, No. 27627.

(*b*) Continue cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization at all levels and throughout the country in support of the ongoing transition to full Afghan leadership and ownership agreed to at the Kabul and London Conferences and the Lisbon summit, in a sustainable manner to ensure the protection and promotion of the rights of all Afghans, in accordance with their existing mandates, in order to optimize civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations, in particular through participation in the Joint Afghan-North Atlantic Treaty Organization Inteqal Board as an observer;

(*c*) Provide outreach as well as good offices to support, if requested by the Government of Afghanistan, the Afghan-led and Afghan-owned process of peace and reconciliation, including through the implementation of the Afghan Peace and Reintegration Programme and proposing and supporting confidence-building measures within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions 1267 (1999), 1988 (2011) and 1989 (2011) of 17 June 2011 as well as other relevant resolutions of the Council;

(*d*) Support, at the request of the Afghan authorities, the organization of future Afghan elections, as well as strengthen, in support of the efforts of the Government of Afghanistan, the sustainability, integrity and inclusiveness of the electoral process, as agreed at the London, Kabul and Bonn Conferences, and provide capacity-building and technical assistance to the Afghan institutions involved in this process;

(*e*) Support regional cooperation, with a view to assisting Afghanistan to utilize its role at the heart of Asia to promote regional cooperation, and work towards a stable and prosperous Afghanistan, building on the achievements made;

7. *Reaffirms* that the Mission and the Special Representative, leveraging the competencies of the United Nations country team and taking into account the transition process, will continue to lead international civilian efforts with an emphasis on enabling and strengthening the role of Afghan institutions to perform their responsibilities in the following priority areas:

(*a*) Promote through an appropriate presence of the Mission, to be determined in full consultation and cooperation with the Government of Afghanistan, and in support of the Government's efforts, implementation of the Kabul Process throughout the country, including through enhanced cooperation with the United Nations Office on Drugs and Crime, and facilitate inclusion in and understanding of the Government's policies;

(*b*) Support the efforts of the Government of Afghanistan, in fulfilling its commitments as stated at the London, Kabul and Bonn Conferences, to improve governance and the rule of law, including transitional justice, budget execution and the fight against corruption, throughout the country in accordance with the Kabul Process, with a view to helping to bring the benefits of peace and the delivery of services in a timely and sustainable manner;

(*c*) Continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with and build the capacity of the Afghan Independent Human Rights Commission, to cooperate also with the Government of Afghanistan and relevant international and local non-governmental organizations to monitor the situation of civilians, to coordinate efforts to ensure their protection, to promote accountability and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights;

(*d*) Coordinate and facilitate the delivery of humanitarian assistance, in support of the Government of Afghanistan and in accordance with humanitarian principles, with a view to building the capacity of the Government so that it can assume the central and coordinating role in the future, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees from neighbouring and other countries and internally displaced persons;

8. *Calls upon* all Afghan and international parties to coordinate with the Mission in the implementation of its mandate and in efforts to promote the security and freedom of movement of United Nations and associated personnel throughout the country;

9. *Reiterates* the need to ensure the security of United Nations staff and its support for the measures already taken by the Secretary-General in this regard;

10. *Stresses* the importance of a continued presence of the Mission and United Nations agencies, funds and programmes in the provinces, consistent with the transition process, in support of and in cooperation with the Government of Afghanistan, in response to needs and with a view to security and including the objective of overall United Nations effectiveness, and strongly supports the authority of the Special Representative in the coordination of all activities of United Nations agencies, funds and programmes in Afghanistan based on a "One United Nations" approach;

11. *Encourages* the Secretary-General to continue his current efforts to take the measures necessary to address the security issues associated with the United Nations presence and, during the current process of transition, particularly encourages careful coordination with the Afghan National Security Forces, supported by the International Security Assistance Force, as appropriate;

12. *Underscores* the importance of a sustainable democratic development in Afghanistan, with all Afghan institutions acting within their clearly defined areas of competence, in accordance with the relevant laws and the Afghan Constitution, welcomes in this regard the commitment of the Government of Afghanistan at the Kabul Conference, reaffirmed at the Bonn Conference, to deliver further improvements to the electoral process, including addressing the sustainability of the electoral process and, taking into account the commitments made by the international community and the Government at the London, Kabul and Bonn Conferences, reaffirms the supporting role of the Mission, at the request of the Government, in the realization of these commitments, requests that, upon the request of the Government, the Mission provide assistance to the relevant Afghan institutions to support the integrity of the electoral process, and further calls upon members of the international community to provide assistance as appropriate;

13. *Welcomes* the continuing efforts of the Government of Afghanistan to advance the peace and reconciliation process, including by the High Peace Council, and the implementation of the Afghan Peace and Reintegration Programme, to promote an inclusive, Afghan-led dialogue on reconciliation and political participation as laid down in the Kabul Conference communiqué on dialogue for all those who "renounce violence, have no links to international terrorist organizations", including Al-Qaida, "respect the constitution", including its human rights provisions, notably the rights of women, "and are willing to join in building a peaceful Afghanistan", and as further elaborated in the principles and outcomes of the Bonn Conference, and encourages the Government to make use of the good offices of the Mission to support this process as appropriate, in full respect of the implementation of measures and procedures introduced by the Security Council in its resolutions 1267 (1999) and 1988 (2011) as well as other relevant resolutions of the Council;

14. *Also welcomes* the measures taken by the Government of Afghanistan, and encourages it to continue to increase the participation of women as well as minorities and civil society in outreach, consultation and decision-making processes, recalls that women play a vital role in the peace process, as recognized in Council resolution 1325 (2000) and related resolutions, therefore reiterates the need for the full, equal and effective participation of women at all stages of peace processes, and urges their involvement in the development and implementation of post-conflict strategies in order to take account of their perspectives and needs;

15. *Notes* the establishment of the Security Council Committee pursuant to resolution 1988 (2011), its methods and procedures, welcomes in this context the cooperation of the Government of Afghanistan and the Mission with the Committee, including by providing relevant information for updating the 1988 List, and by identifying individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, in accordance with the designation criteria set out in resolution 1988 (2011), and notes that means of financing or supporting these individuals, groups, undertakings and entities include but are not limited to proceeds derived from the illicit cultivation and production of and trafficking in narcotic drugs and their precursors originating in and transiting through Afghanistan, and encourages the continuation of such cooperation;

16. *Stresses* the role of the Mission in supporting, if requested by the Government of Afghanistan, an inclusive Afghan-led and Afghan-owned process of peace and reconciliation, including the Afghan Peace and Reintegration Programme, while continuing to assess, including in collaboration with the Afghan Independent Human Rights Commission, its human rights and gender implications, including the promotion and protection of human rights, and encourages the international community to assist the efforts of the Government in this regard, including through continued support to the Peace and Reintegration Trust Fund;

17. *Commends* the outcome of the Istanbul Conference for Afghanistan held on 2 November 2011, welcomes the ongoing Afghan-led regional effort within the framework of the Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan,[193] and calls upon Afghanistan and its regional partners to continue to enhance regional dialogue and confidence;

18. *Welcomes* ongoing efforts by the Government of Afghanistan, its neighbouring and regional partners and international organizations, including the Organization of Islamic Cooperation, to foster trust and cooperation with each other, as well as recent cooperation initiatives developed by the countries concerned and regional organizations, including the trilateral summits of Afghanistan, Pakistan and Turkey and the trilateral summit of Afghanistan, the Islamic Republic of Iran and Pakistan, held in Islamabad on 16 and 17 February 2012, as well as the Shanghai Cooperation Organization and the South Asian Association for Regional Cooperation, and further welcomes the reaffirmation in the outcome documents of the Istanbul and Bonn Conferences of the principles set out in the Kabul Declaration on Good-neighbourly Relations;[189]

19. *Stresses* the importance of increasing cooperation between Afghanistan and its international and regional partners against the Taliban, Al-Qaida and other violent and extremist groups and illegal armed groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy;

20. *Calls for* the strengthening of the process of regional cooperation, including measures to facilitate regional trade and transit, including through regional and bilateral transit trade agreements, expanded consular visa cooperation and facilitation of business travel, to expand trade, to increase foreign investments and to develop infrastructure, including infrastructural connectivity, energy supply, transport and integrated border management, with a view to promoting sustainable economic growth and the creation of jobs in Afghanistan, noting the historical role of Afghanistan as a land bridge in Asia, and looks forward to the Fifth Regional Economic Cooperation Conference on Afghanistan, to be held in Tajikistan on 26 and 27 March 2012;

21. *Reaffirms* the central role played by the Joint Coordination and Monitoring Board in coordinating, facilitating and monitoring the implementation of the Afghanistan National Development Strategy and the national priority programmes, and calls upon all relevant actors to enhance their cooperation with the Board in this regard with a view to further improving its efficiency;

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[193] S/2011/767, annex.

22. *Calls upon* international donors and organizations and the Government of Afghanistan to adhere to their commitments made at the Kabul Conference and previous international conferences, as reaffirmed at the Bonn Conference, and reiterates the importance of further efforts in improving aid coordination and effectiveness, including by ensuring transparency, combating corruption and enhancing the capacity of the Government to coordinate aid;

23. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida and other violent and extremist groups, illegal armed groups, criminals and those involved in the production of or trafficking or trade in illicit drugs;

24. *Reiterates* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector through appropriate vetting procedures, training, mentoring, equipping and empowerment efforts, for both women and men, in order to accelerate progress towards the goal of self-sufficient and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, and stresses the importance of the long-term commitment by the international community, beyond 2014, to ensuring a capable, professional and sustainable Afghan national security force;

25. *Welcomes*, in this context, the continued progress in the development of the Afghan National Army and its improved ability to plan and undertake operations, and encourages sustained training efforts, including through the contribution of trainers, resources and operational mentoring and liaison teams through the North Atlantic Treaty Organization Training Mission–Afghanistan, and advice in developing a sustainable defence planning process as well as assistance in defence reform initiatives;

26. *Takes note* of the ongoing efforts of the Afghan authorities to enhance the capabilities of the Afghan National Police, calls for further efforts towards that goal, and stresses the importance, in this context, of international assistance through financial support and the provision of trainers and mentors, including the contribution of the North Atlantic Treaty Organization Training Mission–Afghanistan, the European Gendarmerie Force contribution to this mission and the European Union through the European Union Police Mission in Afghanistan;

27. *Welcomes* the progress in the implementation by the Government of Afghanistan of the programme of disbandment of illegal armed groups and its integration with the Afghan Peace and Reintegration Programme, and calls for accelerated and harmonized efforts for further progress, with support from the international community;

28. *Condemns in the strongest terms* all attacks, including improvised explosive device attacks, suicide attacks, assassinations and abductions, targeting civilians and Afghan and international forces, and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use, by the Taliban and other extremist groups, of civilians as human shields;

29. *Condemns* attacks against humanitarian workers, emphasizing that the attacks impede efforts to aid the people of Afghanistan, and underlines the need for all parties to ensure full, safe and unhindered access of all humanitarian actors, including United Nations staff and associated personnel, and to comply fully with applicable international humanitarian law;

30. *Welcomes* the achievements to date in the implementation of the Mine Action Programme for Afghanistan, and encourages the Government of Afghanistan, with the support of the United Nations and all the relevant actors, to continue its efforts towards the removal of anti-personnel landmines, anti-tank landmines and explosive remnants of war in order to reduce the threats posed to human life and peace and security in the country; and expresses the need to provide assistance for the care, rehabilitation and economic and social reintegration of victims, including persons with disabilities;

31. *Recognizes* the progress made by the International Security Assistance Force and other international forces in minimizing the risk of civilian casualties, as described in the report of the Mission of 4 February 2012 on the protection of civilians in armed conflict, and calls upon them to continue to make robust efforts in this regard, notably by the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate;

32. *Expresses its strong concern* about the recruitment and use of children by the Taliban, Al-Qaida and other violent and extremist groups in Afghanistan, as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and education and health-care facilities, and the use of children in suicide attacks, and calls for those responsible to be brought to justice;

33. *Stresses* the importance of implementing Council resolutions 1612 (2005), 1882 (2009) and 1998 (2011), in this context, supports the decree by the Minister of the Interior of 6 July 2011 reaffirming the commitment of the Government of Afghanistan to preventing violations of the rights of the child, welcomes the establishment of the Inter-Ministerial Steering Committee for the Protection of the Rights of Children and the subsequent signing by the Government of an action plan, and the annexes thereto, on children associated with national security forces in Afghanistan, calls for the full implementation of the provisions of the action plan, in close cooperation with the Mission, and requests the Secretary-General to continue to give priority to the child protection component of the Mission;

34. *Remains concerned* at the serious harm that opium cultivation, production and trafficking and consumption continue to cause to the security, development and governance of Afghanistan, as well as to the region and internationally, takes note of the report entitled "Afghanistan Opium Survey 2011", released in December 2011 by the United Nations Office on Drugs and Crime, calls upon the Government of Afghanistan, with the assistance of the international community, to accelerate the implementation of the National Drug Control Strategy, including through alternative livelihood programmes, and to mainstream counter-narcotics throughout national programmes, and encourages additional international support for the four priorities identified in the Strategy, and commends the support provided by the United Nations Office on Drugs and Crime to the Triangular Initiative and the Central Asian Regional Information and Coordination Centre within the framework of the Paris Pact initiative[188] and the Rainbow Strategy and the regional programme for Afghanistan and neighbouring countries of the United Nations Office on Drugs and Crime, as well as the contribution of the Domodedovo police academy of the Russian Federation;

35. *Calls upon* States to strengthen international and regional cooperation to counter the threat to the international community posed by the production of, trafficking in and consumption of illicit drugs originating in Afghanistan, with a view to its progressive elimination, in accordance with the principle of common and shared responsibility in addressing the drug problem of Afghanistan, including by strengthening the law enforcement capacity and cooperation against the trafficking in illicit drugs and precursor chemicals and money-laundering and corruption linked to such trafficking, and calls for the full implementation of resolution 1817 (2008);

36. *Appreciates* the work of the Paris Pact initiative and its "Paris-Moscow" process in countering the production of, trafficking in and consumption of opium and heroin from Afghanistan and the elimination of poppy crops and drug laboratories and stores, as well as the interception of drug convoys, underlines the importance of border management cooperation, and welcomes the intensified cooperation of the relevant United Nations institutions with the Organization for Security and Cooperation in Europe and the Collective Security Treaty Organization in this regard;

37. *Reiterates* the importance of the full, sequenced, timely and coordinated implementation of the National Priority Programme on Law and Justice for All, by all the relevant Afghan institutions and other actors, in view of accelerating the establishment of a fair and transparent justice system, eliminating impunity and contributing to the affirmation of the rule of law throughout the country;

38. *Stresses*, in this context, the importance of further progress in the reconstruction and reform of the prison sector in Afghanistan, in order to improve respect for the rule of law and human rights therein, emphasizes the importance of ensuring access for relevant organizations, as applicable, to all prisons and places of detention in Afghanistan, and calls for full respect for relevant international law, including humanitarian law and human rights law, noting the recommendations contained in the report of the Mission of 10 October 2011;

39. *Notes with strong concern* the effects of widespread corruption on security, good governance, counter-narcotics efforts and economic development, urges the Government of Afghanistan, with the assistance of the international community, to vigorously lead the fight against corruption and to enhance its efforts to establish a more effective, accountable and transparent administration, and notes the commitments and efforts of the Government in this regard;

40. *Encourages* all Afghan institutions, including the executive and legislative branches, to work in a spirit of cooperation, calls upon the Government of Afghanistan to pursue continued legislative and public administration reform in order to tackle corruption and ensure good governance, as agreed at the Bonn Conference, with full representation of all Afghan women and men, and accountability at both the national and the subnational levels, stresses the need for further international efforts to provide technical assistance in this area, and reiterates the importance of the full, sequenced, timely and coordinated implementation of the National Priority Programme on National Transparency and Accountability in this regard;

41. *Calls for* full respect for all human rights and fundamental freedoms, including those of human rights defenders, and international humanitarian law throughout Afghanistan, welcomes the growth in Afghan free media, but notes with concern the continued restrictions on freedom of the media and attacks against journalists, commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan, as well as to foster and protect those rights and promote the emergence of a pluralistic civil society, applauds the Commission for its organization of the civil society forum at the Bonn Conference, stresses the importance of full cooperation with the Commission by all relevant actors and of allowing their independence, as well as of ensuring their safety, and supports broad engagement across government agencies and civil society for the realization of the mutual commitments made, including the commitment to provide sufficient government financing for the Commission;

42. *Recognizes* that, despite progress achieved on gender equality, enhanced efforts, including towards measurable and action-oriented objectives, are necessary to secure the rights of women and girls and to ensure that all women and girls in Afghanistan are protected from violence and abuse and enjoy equal protection under the law and equal access to justice, strongly condemns discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, and stresses the importance of implementing resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010), noting the mainstreaming commitments introduced therein, and of ensuring that women fleeing domestic violence are able to find safe and secure refuge;

43. *Welcomes* the commitment by the Government of Afghanistan to strengthen the participation of women in all Afghan governance institutions, including elected and appointed bodies and the civil service, supports efforts to accelerate implementation of the National Action Plan for the Women of Afghanistan, to integrate its benchmarks into the national priority programmes and to develop a strategy to implement fully the Law on the Elimination of Violence against Women, including services to victims, recalls that the promotion and protection of women's rights are an integral part of peace, reintegration and reconciliation, and requests the Secretary-General to continue to include in his reports to the Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan;

44. *Recognizes* the importance of the voluntary, safe, orderly return and sustainable reintegration of the remaining Afghan refugees for the stability of the country and the region, and calls for continued and enhanced international assistance in this regard;

45. *Affirms* the importance of the voluntary, safe, orderly return and sustainable reintegration of internally displaced persons;

46. *Notes* the need to continue to strengthen, with the support of the international community, Afghanistan's absorption capacity for the full rehabilitation and reintegration of the remaining Afghan refugees and internally displaced persons;

47. *Requests* that the Secretary-General report to the Council every three months on developments in Afghanistan and include in his reports an evaluation of progress made against the benchmarks for measuring and tracking progress in the implementation of the mandate of the Mission and priorities as set out in the present resolution;

48. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6738th meeting.

Decisions

At its 6793rd meeting, on 27 June 2012, the Security Council decided to invite the representatives of Afghanistan, Australia, Canada, Iran (Islamic Republic of), Japan, Latvia, New Zealand and Turkey to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2012/462)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, and Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime.

At the same meeting, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, and Mr. Stephen Evans, Assistant Secretary-General for Operations of the North Atlantic Treaty Organization.

THE SITUATION IN SIERRA LEONE[194]

Decisions

At its 6609th meeting, on 12 September 2011, the Security Council decided to invite the representative of Sierra Leone (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Seventh report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2011/554)".

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[194] Resolutions or decisions on this question were first adopted by the Security Council in 1995.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Michael von der Schulenburg, Executive Representative of the Secretary-General for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone, and Mr. Guillermo Rishchynski, Permanent Representative of Canada to the United Nations and Chair of the Sierra Leone configuration of the Peacebuilding Commission.

At its 6611th meeting, on 14 September 2011, the Council decided to invite the representative of Sierra Leone to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Seventh report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2011/554)".

Resolution 2005 (2011)
of 14 September 2011

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolution 1941 (2010) of 29 September 2010,

Welcoming the report of the Secretary-General of 2 September 2011,[195] and taking note of his recommendation that the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone be extended for a period of one year, with a view to providing continued peacebuilding assistance to the Government of Sierra Leone, including preparations for the elections in 2012,

Welcoming also the preparations currently under way for the national and local elections to be held in 2012, and underlining the importance of the Government of Sierra Leone and the international community in continuing efforts to foster an environment that is conducive to the holding of peaceful, transparent, free and fair elections by strengthening the national electoral and democratic institutions, providing security, ensuring political access by the contestants to all regions of the country, making available forums for mediation and dialogue and assuring the credibility of the electoral process, and, in doing so, contribute to the institutional development and continued stability of the country,

Mindful of the United Nations efforts in assisting the Government of Sierra Leone to address the capacity challenges of the national electoral institutions, and noting the potential for an increase in tensions during the preparations for, and the period leading up to, the 2012 elections in Sierra Leone due to political, security, socioeconomic and humanitarian challenges,

Welcoming the ongoing implementation of the joint communiqué of 2 April 2009 by the political parties, including efforts to prevent political violence among the youth and to enhance greater political participation of women, and underlining the need for political parties to hasten the full implementation of its provisions and to ensure that their supporters abide by the code of conduct for political parties and remain committed to sustained cessation of the political violence in Sierra Leone,

Welcoming also the steady progress that the Government of Sierra Leone has made in implementing the Agenda for Change, in particular steps taken with regard to strengthening the Government's control over natural resources and to combat corruption, and noting the challenges that remain to be addressed in the Government's national peacebuilding strategy and the efforts being made to address them,

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[195] S/2011/554.

Recognizing the challenges posed by illicit drug trafficking, corruption and youth unemployment, welcoming the progress made under the West Africa Coast Initiative, in particular the establishment of the Transnational Organized Crime Unit to address the growing problem of illicit drug trafficking, organized crime and drug abuse in Sierra Leone, and appreciating the coordinated efforts of the international development partners to address the challenge of youth unemployment,

Emphasizing the importance of the continued integrated support of the United Nations system and the international community for the long-term peace, security and development of Sierra Leone,

Commending the valuable contribution that the United Nations Integrated Peacebuilding Office in Sierra Leone has made to peacebuilding efforts in Sierra Leone, and its continued progress, with the United Nations country team, in achieving the integration of the political, development and humanitarian mandates as set out in the United Nations Joint Vision for Sierra Leone, encouraging all United Nations entities in Sierra Leone to continue the implementation of the Joint Vision, and calling upon Sierra Leone's bilateral and multilateral partners to provide the necessary resources to implement the Joint Vision,

Stressing that the 2012 elections and the wide acceptance of the outcome will be a major milestone indicating the consolidation of peace and security in Sierra Leone, which should help to define the transition of the United Nations Integrated Peacebuilding Office in Sierra Leone into a United Nations country team,

Acknowledging the role that the Peacebuilding Commission and the Peacebuilding Fund play in support of the peacebuilding efforts in Sierra Leone,

Reiterating its appreciation for the work of the Special Court for Sierra Leone, stressing the importance of the trial of former President of Liberia Charles Taylor by the Court, welcoming the completion of all the other cases, as well as effective outreach on the trials at the local level, reiterating its expectation that the Court will finish its work as soon as possible, including any contempt cases, and calling upon Member States to contribute generously to the Court and the Residual Special Court,

Recalling that the responsibility for controlling the circulation of small arms and light weapons within the territory of Sierra Leone and between Sierra Leone and neighbouring States rests with the relevant governmental authorities in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, of 2006, and welcoming the launch of the national action plan on small arms,

Welcoming the role played by the African Union and the Economic Community of West African States, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security,

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone, as set out in resolution 1941 (2010), until 15 September 2012;

2. *Emphasizes* the importance of the United Nations Integrated Peacebuilding Office in Sierra Leone achieving, jointly with the United Nations country team, the objectives outlined in the United Nations Joint Vision for Sierra Leone within their respective mandates, including focusing on:

(i) Providing support to the Government of Sierra Leone and its electoral and democratic institutions in the preparations for the 2012 elections as requested, and providing technical assistance to all relevant stakeholders to play a meaningful role, in accordance with relevant national legislation, in achieving peaceful, credible and democratic elections;

(ii) Providing assistance to conflict prevention and mitigation efforts, and promoting dialogue among political parties, the Government and all relevant stakeholders;

(iii) Assisting the Government and national institutions in tackling youth unemployment, including by supporting training, education and skills provision;

(iv) Assisting the Government and national institutions in implementing the Sierra Leone national action plan on women and peace and security; including by advancing the four-pronged approach to addressing gender matters adopted by the Office and the United Nations country team;

(v) Providing assistance to the Government in promoting good governance, the rule of law and human rights, including institutional reform; combating illicit drug trafficking and organized crime; combating corruption; providing support to the National Human Rights Commission; and assisting in strengthening national capacity-building in the areas of law enforcement, forensics, border management, money-laundering and the strengthening of criminal justice institutions;

3. *Calls upon* the Government of Sierra Leone, all political parties, as well as all other stakeholders, in particular civil society in Sierra Leone, to contribute to an atmosphere of political tolerance and peaceful coexistence and to demonstrate their full commitment to the democratic process, so as to ensure that the 2012 elections are peaceful, transparent, free and fair;

4. *Calls upon* the Sierra Leone authorities to resolve any outstanding issues regarding the electoral legal framework;

5. *Urges* the Government of Sierra Leone to step up its efforts to hold regular, inclusive and constructive party political dialogue on all major national, political, social and economic issues, which are clearly focused on identifying the priorities and milestones necessary for the future peace and development of Sierra Leone;

6. *Encourages* the Executive Representative of the Secretary-General for Sierra Leone to continue with the progress already made to enhance the integration and effectiveness of United Nations efforts on the ground, in support of the implementation of the Joint Vision and the recovery and development priorities of the Government and people of Sierra Leone;

7. *Calls upon* the Secretary-General to continue to report on progress achieved towards meeting the benchmarks, including in supporting the capacity of key national institutions to be able to adequately address the causes of conflict and manage political disputes by themselves, as agreed upon by the Government of Sierra Leone and the United Nations in the Joint Vision for the transition of the United Nations Integrated Peacebuilding Office in Sierra Leone into a United Nations country team;

8. *Emphasizes* that the Government of Sierra Leone bears the primary responsibility for peacebuilding, security and long-term development in the country, and encourages the Government to continue its implementation of the Agenda for Change, and international partners to continue to provide support to the Government;

9. *Calls upon* the Government of Sierra Leone, with the support of the United Nations Integrated Peacebuilding Office in Sierra Leone, development partners and all other stakeholders in the country, to increase its efforts to combat corruption, improve accountability and promote the development of the private sector in order to generate wealth and employment opportunities; to continue good governance reform by supporting the Anti-Corruption Commission and the Ministry of Mines and Mineral Resources to increase the transparency and management of Sierra Leone's natural and mineral resources for the benefit of all Sierra Leoneans and mitigating the risk of resource-based conflict; to intensify efforts against illicit drug trafficking through the strengthening of the Transnational Organized Crime Unit; and to promote human rights, including through the implementation of the recommendations of the Truth and Reconciliation Commission and Sierra Leone's universal periodic review by the Human Rights Council;

10. *Encourages* the Peacebuilding Commission to provide support to the Government of Sierra Leone and the United Nations Integrated Peacebuilding Office in Sierra Leone in

preparation for the 2012 elections, including the potential to mobilize support from international partners, and in the implementation of the Government's Agenda for Change and the United Nations Joint Vision strategy and in that regard to advise and keep the Security Council updated, including on progress made in meeting core peacebuilding objectives, as necessary;

11. *Commends* the Government of Sierra Leone for recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding, reaffirms the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) of 31 October 2000 and 1889 (2009) of 5 October 2009, underscores that the Government should continue its effort in addressing sexual and gender-based violence, in accordance with resolutions 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1960 (2010) of 16 December 2010, and encourages the United Nations Integrated Peacebuilding Office in Sierra Leone to continue to work with the Government in this area;

12. *Requests* that the Secretary-General keep the Council informed every six months of progress made in the implementation of the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone and the present resolution;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6611th meeting.

Decisions

At its 6739th meeting, on 22 March 2012, the Security Council decided to invite the representative of Sierra Leone (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2012/160)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Michael von der Schulenburg, Executive Representative of the Secretary-General for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone, and Mr. Guillermo Rishchynski, Permanent Representative of Canada to the United Nations and Chair of the Sierra Leone configuration of the Peacebuilding Commission.

At its 6748th meeting, on 11 April 2012, the Council considered the item entitled:

"The situation in Sierra Leone

> "Report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2012/160)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[196]

> "The Security Council welcomes the latest report of the Secretary-General, of 14 March 2012, on the situation in Sierra Leone and the activities of the United Nations Integrated Peacebuilding Office in Sierra Leone.[197] The Council welcomes the briefing provided by the Executive Representative of the Secretary-General for Sierra Leone, Mr. Michael von der Schulenburg, on 22 March 2012.[198] The Council reaffirms its support for continuing efforts to consolidate peace in that country.

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[196] S/PRST/2012/11.

[197] S/2012/160.

[198] See S/PV.6739.

"The Council emphasizes that the Government of Sierra Leone bears primary responsibility for peacebuilding, security and long-term development in the country. The Council notes the steady progress achieved so far by the national authorities and people of Sierra Leone in a number of areas, including national reconciliation, the promotion of gender equality and the preparations for national and local elections on 17 November 2012. The Council emphasizes the importance of these elections for the consolidation of peace and security in Sierra Leone.

"The Council calls upon all political parties to engage constructively in an honest and open dialogue aimed at furthering national cohesion. The Council calls upon the Government of Sierra Leone, all political parties as well as other stakeholders to intensify their efforts to foster an environment that is conducive to the holding of peaceful, transparent, free and fair elections. The Council calls upon the leadership of the political parties to undertake cross-party confidence-building measures, promote political participation and non-violence among their membership and ensure full adherence to due process of law, to the recommendations of the joint communiqué of 2 April 2009, which, inter alia, calls for the establishment of the Independent Police Complaints Committee to reinforce the neutrality and professionalism of the police, and to the code of conduct for political parties. The Council believes that these steps are essential to ensure public and international confidence in Sierra Leone's democratic process.

"The Council acknowledges the statement of the Government of Sierra Leone on 3 April 2012 clarifying its position regarding the arms delivered to the Sierra Leone Police. The Council underscores the importance for the national authorities of Sierra Leone to respond proportionately to threats to the security of all citizens in Sierra Leone. The Council calls upon the Government to ensure that its security forces remain committed to upholding human rights and applicable international law.

"The Council calls upon the Independent Media Commission to proactively monitor the media and ensure compliance with the code of conduct for the media and calls upon the national authorities to address the administrative and financial challenges facing the Sierra Leone Broadcasting Corporation.

"The Council commends the contribution of the United Nations Integrated Peacebuilding Office in Sierra Leone and the United Nations country team to the peacebuilding and development priorities of Sierra Leone, in particular through the integrated United Nations Joint Vision for Sierra Leone. The Council commends the achievements of the Executive Representative, Mr. von der Schulenburg, in Sierra Leone, and urges the Secretary-General to promptly appoint a successor.

"The Council continues to emphasize the important role of regional organizations such as the African Union, the Economic Community of West African States and the Mano River Union in supporting Sierra Leone to achieve its peacebuilding, security and long-term development goals. The Council acknowledges the work of the Transnational Organized Crime Unit and calls upon the authorities of Sierra Leone to work with the country's neighbours and regional partners in order to intensify their joint efforts to consolidate regional peace and security, including by tackling the challenges posed by drug trafficking and organized crime.

"The Council acknowledges the role of the Peacebuilding Commission in supporting peacebuilding efforts in Sierra Leone, including in addressing the priority area of youth employment. The Council urges the Commission to continue working in support of the United Nations Integrated Peacebuilding Office in Sierra Leone and the United Nations country team.

"The Council remains actively seized of this matter."

On 3 May 2012, the President of the Security Council addressed the following letter to the Secretary-General:[199]

> "I have the honour to inform you that your letter dated 1 May 2012 concerning your intention to appoint Mr. Jens Anders Toyberg-Frandzen, of Denmark, as your Executive Representative for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone[200] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

In a letter dated 18 May 2012, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Liberia, Côte d'Ivoire and the Economic Community of West African States and Sierra Leone.[201]

RELATIONS BETWEEN CAMEROON AND NIGERIA[202]

Decision

On 11 January 2012, the President of the Security Council addressed the following letter to the Secretary-General:[203]

> "I have the honour to inform you that your letter dated 9 January 2012 concerning your intention to continue the activities of the United Nations support team to the Cameroon-Nigeria Mixed Commission, with funding from the regular budget,[204] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein."

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[205]

Decisions

At its 6649th meeting, on 8 November 2011, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2011/656)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Roger Meece, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

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[199] S/2012/292.

[200] S/2012/291.

[201] The letter, which was issued as a Security Council document under the symbol S/2012/344, has been reproduced on page 54 of the present volume. The mission took place from 18 to 24 May 2012.

[202] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[203] S/2012/29.

[204] S/2012/28.

[205] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

At its 6671st meeting, on 29 November 2011, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 2021 (2011)
of 29 November 2011

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Taking note of the interim report[206] and the final report[207] of the Group of Experts on the Democratic Republic of the Congo ("the Group of Experts") established pursuant to resolution 1771 (2007) of 10 August 2007, whose mandate was extended pursuant to resolutions 1807 (2008) of 31 March 2008, 1857 (2008) of 22 December 2008, 1896 (2009) of 30 November 2009 and 1952 (2010) of 29 November 2010, and of the recommendations contained therein, and welcoming the ongoing collaboration between the Group of Experts and the Government of the Democratic Republic of the Congo, as well as other Governments in the region and other international forums,

Reiterating its serious concern regarding the presence of armed groups in the Democratic Republic of the Congo, including the provinces of North and South Kivu and Orientale Province, which perpetuates a climate of insecurity in the whole region, and reiterating its concern about the support received by these armed groups from regional and international networks,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo in violation of resolutions 1533 (2004) of 12 March 2004, 1807 (2008), 1857 (2008), 1896 (2009) and 1952 (2010), declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions concerning the Democratic Republic of the Congo, and stressing the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807 (2008),

Recalling the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Underlining the importance of economic development to ensure long-term stabilization and peace consolidation, expressing in this regard its concern about further rise in unemployment and worsened poverty in some mining areas, and noting at the same time the link between the exercise of due diligence by some *comptoirs*, the improvement of mining sector governance and the rise in minerals production and export in other mining areas, as reported by the Group of Experts,

Welcoming the regional efforts of the countries of the Great Lakes region in the context of the International Conference on the Great Lakes Region against the illegal exploitation of natural resources, noting the commitment of these countries to establish a Regional Initiative against the Illegal Exploitation of Natural Resources and their endorsement of the due diligence guidelines, as defined by the Organization for Economic Cooperation and Development, and encouraging those States to implement the components of the Regional Initiative,

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[206] See S/2011/345.

[207] See S/2011/738.

Expressing its concern that armed groups are turning increasingly to new sources of funding through diverse criminal activities, including illicit drug trafficking, illegal taxation and agricultural sales,

Noting with great concern the persistence of human rights abuses and humanitarian law violations against civilians in the eastern part of the Democratic Republic of the Congo, including the killing and displacement of significant numbers of civilians, the recruitment and use of child soldiers and widespread sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all human rights abuses and international humanitarian law violations in the country, and recalling all its relevant resolutions on women and peace and security, on children and armed conflict and on the protection of civilians in armed conflict,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 30 November 2012 the measures on arms imposed by paragraph 1 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 2, 3 and 5 of that resolution;

2. *Decides also* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008), and reaffirms the provisions of paragraph 7 of that resolution;

3. *Decides further* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857 (2008);

4. *Requests* the Secretary-General to extend, for a period expiring on 30 November 2012, the mandate of the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions, and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008) and to report to the Security Council in writing, through the Security Council Committee established pursuant to resolution 1533 (2004), by 18 May 2012 and again before 19 October 2012;

5. *Reaffirms* the provisions of paragraphs 6 to 13 of resolution 1952 (2010), and requests the Group of Experts to include in its evaluation of the impact of due diligence a comprehensive assessment of the economic and social development of the relevant mining areas in the Democratic Republic of the Congo;

6. *Welcomes* the support of the due diligence guidelines, as defined by the Group of Experts and the Organization for Economic Cooperation and Development, by the Democratic Republic of the Congo, welcomes further the measures taken by the Government of the Democratic Republic of the Congo to implement the guidelines, and calls upon all States to assist the Democratic Republic of the Congo and the countries in the Great Lakes region in the implementation of the guidelines;

7. *Encourages* all States, particularly those in the region, to continue to raise awareness of the Group of Experts due diligence guidelines,[208] in particular in the gold sector, as part of

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[208] See S/2011/345, annex I.

broader efforts to mitigate the risk of further financing armed groups and criminal networks within the Armed Forces of the Democratic Republic of the Congo in the Democratic Republic of the Congo;

8. *Encourages* the Democratic Republic of the Congo and the States in the Great Lakes region to require their customs authorities to strengthen their control on exports and imports of minerals from the Democratic Republic of the Congo, and calls upon the international community to assist the Democratic Republic of the Congo and other States in the Great Lakes region, as necessary and requested, to enhance their capacities in this regard;

9. *Recommends* that all States, particularly those in the region, regularly publish full import and export statistics for natural resources, including gold, cassiterite, coltan, wolframite, timber and charcoal, and enhance information-sharing and joint action at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation of natural resources;

10. *Recalls* the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to support the relevant Congolese authorities in preventing the provision of support to armed groups from illicit activities, including production of and trade in natural resources, notably by carrying out spot checks and regular visits to mining sites, trade routes and markets, in the vicinity of the five pilot trading counters;

11. *Encourages* the Government of the Democratic Republic of the Congo to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners, as necessary and requested, and to urgently implement a national weapons marking programme, in particular for State-owned firearms, in line with the standards established by the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States;

12. *Also encourages* the Government of the Democratic Republic of the Congo to continue to address the underlying issue of the cohesion of the national army, including by further ensuring proper integration and vetting of former armed groups, in particular the Congrès national pour la défense du peuple, into the Armed Forces of the Democratic Republic of the Congo, to ensure that members of the national army are paid in a timely fashion, operate in accordance with established command and control regulations, and are subject to such disciplinary action as may be appropriate when regulations are violated, and to ensure that the Congolese security forces redeploy to mitigate the threats caused by security vacuums, including those which have arisen during the reconfiguration process of the Armed Forces of the Democratic Republic of the Congo;

13. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army, Mai Mai Yakutumba, the Forces nationales de libération and the Allied Democratic Forces, lay down their arms and immediately cease all forms of violence, human rights abuses and international humanitarian law violations against the civilian population in the Democratic Republic of the Congo and the Great Lakes region, in particular against women and children, including rape and other forms of sexual abuse, and demobilize;

14. *Welcomes* the ongoing efforts of the Congolese authorities to fight against impunity, and encourages their continuation, including against perpetrators of human rights abuses and international humanitarian law violations, including sexual violence, and against those responsible for illegal exploitation of natural resources, including those committed by any illegal armed groups or elements of the Armed Forces of the Democratic Republic of the Congo;

15. *Stresses* the importance of the Government of the Democratic Republic of the Congo actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through its ongoing cooperation with the International Criminal Court, and encourages the Mission to use its existing authority to assist the Government in this regard;

16. *Encourages* enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, further encourages all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control, and reiterates its demand that all parties and all States ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate;

17. *Calls upon* the Group of Experts to cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d'Ivoire re-established pursuant to paragraph 13 of resolution 1980 (2011) of 28 April 2011 and the Panel of Experts on Liberia re-established pursuant to paragraph 6 of resolution 1961 (2010) of 17 December 2010 with respect to natural resources;

18. *Encourages* the Mission to take into account the findings of the Group of Experts regarding armed groups and challenges to the integration of armed groups in the contingency plans of the Mission in the six-month post-electoral period;

19. *Calls upon* all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of the present resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2 and 3 of the present resolution and recommended in paragraph 8 of resolution 1952 (2010);

20. *Encourages* all States to submit to the Committee for inclusion on its list of designees individuals or entities that meet the criteria set out in paragraph 4 of resolution 1857 (2008), as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities or individuals or entities acting on behalf of or at the direction of the submitted entities;

21. *Decides* that, when appropriate and no later than 30 November 2012, it shall review the measures set forth in the present resolution, with a view to adjusting them, as appropriate, in the light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

22. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6671st meeting.

Decisions

At its 6712th meeting, on 7 February 2012, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2012/65)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Roger Meece, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

At its 6785th meeting, on 12 June 2012, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2012/355)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Roger Meece, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

At its 6792nd meeting, on 27 June 2012, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2012/355)".

Resolution 2053 (2012)
of 27 June 2012

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians, with respect for the rule of law, human rights and international humanitarian law,

Acknowledging that there have been positive developments relative to the consolidation of peace and stability across the Democratic Republic of the Congo, but stressing that serious challenges remain, particularly in the eastern provinces, including the continued presence of armed groups in the Kivus and Oriental Province, serious abuses and violations of human rights and acts of violence against civilians, limited progress in building professional and accountable national security and rule of law institutions, and illegal exploitation of natural resources,

Expressing deep concern at the deteriorating security situation in the eastern provinces of the Democratic Republic of the Congo, including attacks by armed groups, attacks on peacekeepers and humanitarian personnel, which have restricted humanitarian access to conflict areas where vulnerable civilian populations reside, and the displacement of tens of thousands of civilians, and calling upon all armed groups to cease hostilities, including all acts of violence committed against civilians, and urgently facilitate unhindered humanitarian access,

Stressing the need for the Congolese authorities to address the irregularities and challenges identified by national and international observers during the presidential and general elections on 28 November 2011 as well as the need to hold provincial and local elections in a timely, inclusive, peaceful, credible and transparent manner,

Encouraging the enhanced regional cooperation in the Great Lakes region, and encouraging further efforts to promote peace, stability and economic development in the region, including through existing regional mechanisms,

Recognizing the importance of supporting peacebuilding efforts in order to achieve further progress in the stabilization of the country, underlining the importance of economic development to ensure long-term stabilization and peace consolidation, and stressing the need for sustained international support to ensure early recovery activities and lay the foundations for sustainable development,

Emphasizing that the linkage between the illicit exploitation of and trade in natural resources and the proliferation of and trafficking in arms is among the major factors fuelling and exacerbating conflicts in the Great Lakes region, urging all States, particularly those in the region, to implement fully the measures set out in its resolution 1896 (2009) of 30 November 2009, reiterating its determination to continue to closely monitor the implementation of and compliance with the measures set out in resolution 1896 (2009) and paragraph 5 of resolution 1807 (2008) of 31 March 2008, and urging all States to take legal action, where appropriate, in accordance with these measures against the leaders of the Forces démocratiques de libération du Rwanda residing in their countries,

Remaining greatly concerned by the humanitarian situation and the persistent high levels of violence and human rights abuses and violations against civilians, condemning in particular the targeted attacks against civilians, widespread sexual and gender-based violence, recruitment and use of children by parties to the conflict, in particular the mutineers of ex-Congrès national pour la défense du peuple and the 23 March Movement, the displacement of significant numbers of civilians, extrajudicial executions and arbitrary arrests and their deleterious effect on the stabilization, reconstruction and development efforts in the Democratic Republic of the Congo, reiterating the urgent need for the swift prosecution of all perpetrators of human rights abuses and international humanitarian law violations, and urging the Government of the Democratic Republic of the Congo, in cooperation with the United Nations, the International Criminal Court and other relevant actors, to implement the appropriate responses to address these challenges and to provide security, medical, legal, humanitarian and other assistance to victims,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, its resolution 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolutions 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, and recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Democratic Republic of the Congo,[209] especially in relation to the adoption of an action plan to put an end to the recruitment and use of children,

Welcoming the efforts of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and international partners in delivering training in human rights, child protection and protection from sexual and gender-based violence for Congolese security forces, and underlining its importance,

Condemning all attacks against United Nations peacekeepers and humanitarian personnel, regardless of the perpetrators, and emphasizing that those responsible for such attacks must be brought to justice,

Recognizing the significant sacrifices made by the Mission, and expressing appreciation for its efforts to improve peace and stability in the Democratic Republic of the Congo,

Emphasizing the importance of the continued support of the United Nations and the international community for the long-term security and development of the Democratic Republic of the Congo,

Encouraging relevant international actors to support efforts and to assist in the restoration of basic services, especially in conflict-affected areas of the Democratic Republic of the Congo,

Reiterating its call upon the African Union and all relevant subregional organizations to further engage in support of the stabilization efforts in the Democratic Republic of the Congo, notably in the fields of security and combating illicit exploitation of and trade in natural resources,

Welcoming the efforts of the African Union to address the threat posed by the Lord's Resistance Army and welcoming the intention of the Mission to provide logistical support for the establishment of the African Union-Regional Task Force Sector Headquarters in Dungu, and encouraging the African Union to share further information on the implementation of the initiative in the Democratic Republic of the Congo,

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[209] S/AC.51/2011/1.

Taking note of the report of the Secretary-General of 23 May 2012 on the Mission[210] and of the recommendations contained therein,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 30 June 2013 the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo as set out in paragraphs 2, 11 and 12 (*a*) to (*p*) and (*r*) to (*t*) of resolution 1925 (2010) of 28 May 2010, reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians;

2. *Reiterates its request* that the Mission, consistent with the authorization provided by resolution 1925 (2010), keep a reserve force capable of redeploying rapidly in the country within its mandated strength;

3. *Reiterates* that the Government of the Democratic Republic of the Congo bears primary responsibility for security, national reconciliation, peacebuilding and development in the country, and encourages the Government to remain fully committed to protecting the civilian population through the establishment of professional, accountable and sustainable security forces, the deployment of Congolese civil administration, in particular the police, judicial personnel and territorial administration and the establishment of the rule of law and respect for human rights, and encourages the Government to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign armed groups and to restore full State authority in the areas freed from armed groups and to consolidate State authority throughout the territory;

4. *Also reiterates* that future reconfigurations of the Mission should be determined on the basis of the evolution of the situation on the ground and on the achievement of the following objectives to be pursued by the Government of the Democratic Republic of the Congo, with the support of the Mission:

(*a*) The completion of the ongoing military operations in the Kivus and Orientale Province, resulting in reducing to a minimum the threat from armed groups and restoring stability in sensitive areas;

(*b*) An improved capacity of the Government of the Democratic Republic of the Congo to effectively protect the population through the establishment of professional, accountable and sustainable security forces with a view to progressively taking over the security role of the Mission;

(*c*) The consolidation of State authority by the Government of the Democratic Republic of the Congo throughout the territory, through the deployment of Congolese civil administration, in particular the police, territorial administration and rule of law institutions in areas freed from armed groups;

5. *Encourages* the ongoing strategic partnership between the Government of the Democratic Republic of the Congo and the Mission, in particular through the joint assessment process, and encourages the continuing of such assessment discussions to enable the Security Council to take into account the joint assessment reports when making decisions regarding any reconfiguration of the Mission, in accordance with the provisions of paragraph 7 of resolution 1925 (2010) and paragraph 4 of the present resolution;

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[210] S/2012/355.

6. *Stresses* that, while protection of civilians remains the priority of the Mission, security sector reform should be the primary focus within the stabilization and peace consolidation mandate of the Mission as defined in paragraphs 12 (*l*) to (*p*), (*r*) and (*s*) of resolution 1925 (2010), as security sector reform is critical for the achievement of the objectives defined in paragraph 4 above;

7. *Requests* the Mission to undertake a strategic review of the implementation of the International Security and Stabilization Support Strategy, providing a clear definition of stabilization in the context of eastern Democratic Republic of the Congo and a strategy and time frame for achieving these stabilization goals, with a view to strengthening its efforts and engaging closely with the Government of the Democratic Republic of the Congo to ensure that these efforts are closely aligned with and provide effective support to the Government's Stabilization and Reconstruction Plan, requests further the Secretary-General to present the results of this review in an annex to his report in February 2013, and encourages donors to support the relevant Congolese authorities in fully implementing the Plan;

8. *Urges* the Government of the Democratic Republic of the Congo, which bears the primary responsibility regarding the reform of its security sector, to operationalize and implement, with the support of the Mission, a national and comprehensive vision and strategy for the security and justice sectors, including in the area of transitional justice, in order to establish democratic, accountable and professional national security and judicial institutions;

9. *Underlines* the need for an overall Congolese security sector reform strategy that focuses on the professionalization of security sector institutions, including oversight bodies, and that helps to ensure coherence and efficiency and avoid duplications or gaps, encourages at the same time the Government of the Democratic Republic of the Congo to engage in a new strategic partnership with the Mission in the area of security sector reform in order to identify the priorities of each component of the security sector and possible new approaches for the Mission to support Congolese authorities in the area of security sector reform to build the capacity of the military, police, justice and other security institutions to consolidate Congolese State authority, and requests the Secretary-General to report on these priorities and approaches in an annex to his report in November 2012;

10. *Calls upon* the Congolese authorities to share its priorities and strategies with international partners on a regular basis, requests the Mission to support effective coordination, transparency and harmonization of efforts as well as a clear division of tasks and responsibilities of all international partners involved in assisting the security sector reform, in this regard calls upon the Government of the Democratic Republic of the Congo, with support from the Mission, to make strategic use of the information on internationally supported security sector reform projects already being collected by the Ministry of Planning, and calls upon all Member States and international organizations to improve information-sharing and to fully cooperate with the Congolese authorities and the Mission in this regard;

11. *Reiterates its call upon* the Government of the Democratic Republic of the Congo to address the underlying issue of cohesion within the national army, including by establishing an effective vetting mechanism and further developing its efforts to ensure proper integration of former armed groups, in particular the Congrès national pour la défense du peuple, into the Armed Forces of the Democratic Republic of the Congo, with the advisory support of the Mission, encourages the Government to ensure that members of the national army are paid adequately and in a timely fashion, operate in accordance with established command and control regulations and are subject to such disciplinary or judicial action as may be appropriate when regulations and laws are violated, and reiterates its concern at the promotion within the Congolese security forces of well-known individuals responsible for serious human rights violations and abuses;

12. *Urges* the Government of the Democratic Republic of the Congo to implement the multi-year joint United Nations justice support programme with the support of international partners, recalls the need for all crimes, including crimes against women and children, to be expeditiously investigated and the need for all perpetrators of those crimes, in particular Mr. Bosco

Ntaganda, to be arrested and brought to justice, and encourages the Congolese authorities to pursue their efforts to combat impunity against all perpetrators of human rights and international humanitarian law violations, including those committed by any illegal armed groups or elements of the Congolese security forces;

13. *Further stresses* the importance of the Government of the Democratic Republic of the Congo actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through cooperation with the International Criminal Court, calls upon the Mission to support the Congolese authorities in this regard, and takes note of the recent positive steps taken by the Congolese authorities to apprehend Mr. Bosco Ntaganda;

14. *Calls upon* the Mission to continue to work with the United Nations country team and the Congolese authorities towards the adoption and implementation of the Peace Consolidation Programme covering provinces not affected by the conflict, and requests the Mission, where appropriate, to continue transferring tasks to the United Nations country team in those provinces;

15. *Urges* the Congolese authorities to ensure that the provincial and local elections are conducted in a timely, credible, peaceful and transparent manner, which includes ensuring respect for human rights and fundamental freedoms, and ensuring full and effective participation of women in the electoral process, strengthened engagement and cooperation with civil society, equitable access to media, including State media, and safety for all candidates as well as for election observers and witnesses, journalists, human rights defenders and civil society actors, including women;

16. *Decides* that the Mission shall support the organization and conduct of provincial and local elections through the provision of technical and logistical support, in accordance with paragraph 7 of resolution 1991 (2011) of 28 June 2011, decides further that this support will be continually assessed and reviewed according to progress made by the Congolese authorities in consolidating the credibility of the Independent National Electoral Commission, agreeing on viable operational plans in order to ensure international support, adopting a realistic electoral calendar and continuing to ensure the full access of observers and representatives of political parties to all electoral sites and operations, recalls the need for the Special Representative of the Secretary-General for the Democratic Republic of the Congo to promote and facilitate inclusive and transparent political dialogue among various Congolese stakeholders, including women's groups, supports the establishment by the Congolese authorities of the Constitutional Court, calls upon the Election Partnership Committee to meet more regularly to closely follow and adapt international support to the electoral process, and requests the Secretary-General to report on this progress in his report of November 2012;

17. *Welcomes* the positive steps taken by the Government of the Democratic Republic of the Congo to investigate the violations of human rights alleged to have been committed in Kinshasa in the context of the elections of 28 November 2011, urges the Government to prosecute those responsible, calls upon the Government to protect and promote all human rights throughout the country and ensure full respect for fundamental rights and liberties, including freedom of expression and freedom of peaceful assembly, in the light of the upcoming provincial and local elections scheduled for 2013, and decides that the Mission shall pursue its monitoring, reporting and following up on human rights violations, including by using the good offices of the Special Representative of the Secretary-General as required;

18. *Demands* that all armed groups, in particular mutineers of ex-Congrès national pour la défense du peuple and the 23 March Movement, the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and the Allied Democratic Forces/National Army for the Liberation of Uganda, immediately cease all forms of violence and human rights abuses against the civilian population in the Democratic Republic of the Congo, in particular against women and children, including rape and other forms of sexual abuse and child recruitment, and demobilize;

19. *Condemns* the recent mutiny led by Mr. Bosco Ntaganda and all outside support to all armed groups, and demands that all forms of support to them cease immediately;

20. *Urges* the Government of the Democratic Republic of the Congo, with support from the Mission, to sustain its action against armed groups, especially mutineers of ex-Congrès national pour la défense du peuple and the 23 March Movement, restore order and bring the perpetrators to justice, while ensuring the protection of the civilian population, and address the underlying causes of instability, in particular the impact of the return of displaced persons and refugees and possible land-related social tensions;

21. *Reiterates its support* to the respective initiatives taken by the United Nations and the African Union to facilitate regional action against the Lord's Resistance Army and to protect civilians, encourages relevant parties to enhance cooperation to help to end the threat to civilians posed by the Lord's Resistance Army, welcomes the steps taken by the Mission to enhance information-sharing and coordination with those conducting military operations against the Lord's Resistance Army and to promote and facilitate defections from the ranks of the Lord's Resistance Army, encourages the Mission to coordinate closely with and provide technical expertise, as appropriate and within the limits of its capacities, to United Nations missions across the Lord's Resistance Army-affected region to help to advance the United Nations regional strategy to address the Lord's Resistance Army, especially with regard to disarmament, demobilization, repatriation, resettlement and reintegration, and encourages the Mission to deepen its contacts with Lord's Resistance Army-affected communities and humanitarian partners and to keep under review the coordination and deployment of its available resources to ensure maximum effect;

22. *Underlines* the urgent need for continued progress in addressing the threat of foreign and national armed groups, including through further progress in the disarmament, demobilization, repatriation, resettlement and reintegration process, urges the international community and donors to support the Government of the Democratic Republic of the Congo and the Mission in disarmament, demobilization, repatriation, resettlement and reintegration activities, calls upon the Government and neighbouring States to remain engaged in the process, and urges the Government to make progress on the national programme for the disarmament, demobilization and reintegration of residual Congolese armed elements in eastern Democratic Republic of the Congo, with the support of the Mission;

23. *Encourages* the Government of the Democratic Republic of the Congo to continue to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict and to meet, without further delay, its commitments to adopt and implement an action plan to halt the recruitment and use of children by the Armed Forces of the Democratic Republic of the Congo, in close collaboration with the Mission;

24. *Encourages* the Mission to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations and abuses of international humanitarian and human rights law perpetrated against civilians;

25. *Welcomes* the steps taken by the Congolese authorities to address the tracing and certification of minerals, encourages further cooperation throughout the region, urges demilitarization of the mining areas in the Democratic Republic of the Congo and the professionalization and deployment of the Congolese Mining Police in these areas, calls upon the Mission to support the relevant Congolese authorities in preventing the provision of support to armed groups from illicit economic activities and illicit trade in natural resources, including to carry out spot checks and regular visits to mining sites, trade routes and markets in the vicinity of the five pilot trading counters, and encourages the Government of the Democratic Republic of the Congo to further increase transparency in the administration of contracts for mining rights and the collection of and accounting for taxes;

26. *Demands* that all parties cooperate fully with the operations of the Mission and allow, in accordance with relevant provisions of international law, full, safe, immediate and unhindered access for United Nations and associated personnel in carrying out their mandate to all those in need and delivery of humanitarian assistance, in particular to internally displaced persons,

throughout the territory of the Democratic Republic of the Congo, including in the Lord's Resistance Army-affected areas, and requests the Secretary-General to report without delay any failure to comply with these demands;

27. *Commends* the contribution of troop- and police-contributing countries and donors to the Mission, calls upon Member States to pledge and provide the remaining force enablers, in particular military air assets, required for the Mission, and recalls the importance of close consultations with troop- and police-contributing countries;

28. *Requests* the Secretary-General to report by 14 November 2012, 14 February 2013 and 24 May 2013 on the progress on the ground, including on the progress made towards the objectives mentioned in paragraph 4 above, recommended benchmarks for measuring progress and the impact of the disarmament, demobilization, repatriation, resettlement and reintegration process on the strength of foreign armed groups, and also requests the Secretary-General to include specific thematic annexes in his report in November on the assessment of the electoral process as mentioned in paragraph 15 above and possible new approaches in security sector reform as mentioned in paragraph 9 above and in February on the review of the International Security and Stabilization Support Strategy as mentioned in paragraph 7 above and on the strategy and efforts to effectively transfer the responsibility for some Mission tasks to members of the United Nations country team;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6792nd meeting.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[211]

Decisions

At its 6687th meeting, on 14 December 2011, the Security Council decided to invite the representative of the Central African Republic (Prime Minister and Head of Government) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2011/739)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Margaret Vogt, Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Integrated Peacebuilding Office in the Central African Republic, and Mr. Jan Grauls, Permanent Representative of Belgium to the United Nations and Chair of the Central African Republic configuration of the Peacebuilding Commission.

At its 6696th meeting, on 21 December 2011, the Council considered the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2011/739)".

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[211] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

Resolution 2031 (2011)
of 21 December 2011

The Security Council,

Recalling the statements by its President relating to the situation in the Central African Republic, in particular the statements of 7 April,[212] 8 May[213] and 21 December 2009[214] and 14[215] and 20 December 2010,[216]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of the Central African Republic, and recalling the importance of the principles of good-neighbourliness and regional cooperation,

Welcoming ongoing efforts aimed at national reconciliation in the Central African Republic based on the Libreville Comprehensive Peace Agreement of 21 June 2008, calling upon its signatories to remain committed to the Agreement, and calling upon all remaining armed groups to join the Agreement without delay,

Acknowledging the important role played by the United Nations Integrated Peacebuilding Office in the Central African Republic in support of mediation efforts undertaken by the Government of the Central African Republic and the National Mediator,

Acknowledging also the efforts made by the authorities of the Central African Republic, the Independent Electoral Commission and all Central African stakeholders in organizing peaceful presidential and legislative elections in 2011, and welcoming the establishment by the Government of the Central African Republic on 14 July 2011 of a transitional committee for elections,

Noting with concern that the near absence of a political opposition in the democratic institutions of the Central African Republic, which has added to the atmosphere of tension in the country, may constitute a considerable challenge to the process of national reconciliation and nation-building,

Welcoming the intention of the Government of the Central African Republic to work towards an all-inclusive political approach for the reform of the electoral code and the establishment of a permanent electoral management body, and welcoming in this regard the organization by the Government, with the support of the United Nations Integrated Peacebuilding Office in the Central African Republic, of a workshop on electoral reforms with all national stakeholders from 28 to 30 November 2011,

Expressing deep concern at the precarious security situation in the Central African Republic due to the persisting presence and activities of national and foreign armed groups, including the Lord's Resistance Army and the Front populaire pour le redressement, that threaten peace and security in the Central African Republic and the subregion,

Expressing concern at the lack of State authority outside the capital, which has led to a serious security vacuum in many parts of the Central African Republic,

Welcoming the ceasefire agreement signed between the Government of the Central African Republic and the Convention des patriotes pour la justice et la paix and the ceasefire agreement signed between the Convention des patriotes pour la justice et la paix and the Union des forces démocratiques pour le rassemblement under the auspices of the Government and the National Mediator and with the support of the United Nations, the African Union, the Mission for the Consolidation of Peace in the Central African Republic and the Government of Chad,

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[212] S/PRST/2009/5.

[213] S/PRST/2009/13.

[214] S/PRST/2009/35.

[215] S/PRST/2010/26.

[216] S/PRST/2010/29.

Commending the African Union's regional cooperation initiative for the elimination of the Lord's Resistance Army, the appointment in November 2011 of a Special Envoy on the Lord's Resistance Army, and its efforts to establish a Regional Intervention Force, a Joint Operations Centre and a Joint Coordination Mechanism,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security and its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, recalling the conclusions of the Security Council Working Group on Children and Armed Conflict, including the adoption of action plans to put an end to the recruitment and use of children by armed groups, including by self-defence militias, and recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1325 (2000), 1612 (2005), 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006, 1820 (2008), 1882 (2009), 1888 (2009) and 1889 (2009) on the protection of civilians in armed conflict,

Expressing serious concern at reports of continued human rights violations, in particular cases of extrajudicial executions and restrictions on civil liberties,

Noting the importance of the current dialogue between the Government of the Central African Republic and the International Monetary Fund on economic and financial developments in the Central African Republic,

Welcoming the continued engagement of the Peacebuilding Commission in the Central African Republic and the recent visit of a delegation from the country-specific configuration of the Commission, and acknowledging the contribution of the Peacebuilding Fund to peacebuilding in the Central African Republic,

Having considered the report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in the Central African Republic,[217]

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic, as recommended by the Secretary-General in his report,[217] until 31 January 2013;

2. *Underlines* the importance of a fully integrated office ensuring effective coordination of strategy and programmes among the United Nations agencies, funds and programmes in the Central African Republic, and emphasizes the role of the Special Representative of the Secretary-General for the Central African Republic in coordinating the country team;

3. *Looks forward* to progress by the Government of the Central African Republic on the creation of a permanent and independent electoral management body responsible for organizing future elections and on the revision of the electoral code, drawing from the lessons learned during the elections held earlier in the year, and calls upon the Government to organize municipal elections as soon as possible;

4. *Encourages* the Government of the Central African Republic to continue to engage in consultations with the opposition in a consensual and inclusive manner, including on the electoral reform;

5. *Urges* the Government of the Central African Republic to ensure that freedom of expression and assembly, including for the opposition parties, as well as the rule of law, which are essential for democracy, are fully respected, and urges the opposition parties and the Government to engage in a constructive dialogue to establish an environment allowing equal chances in the run-up to the next electoral cycle;

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[217] S/2011/739.

6. *Calls upon* the Government of the Central African Republic and all armed groups to remain committed to the national reconciliation process by fully observing the recommendations of the inclusive political dialogue that ended in 2008, and demands that all armed groups cooperate with the Government in the disarmament, demobilization and reintegration process;

7. *Welcomes* the progress that the Central African Republic has made in the disarmament and demobilization of former combatants in the north-west, following the launch of related activities by President Bozizé on 25 June 2011, and encourages the Government of the Central African Republic to pursue the disarmament and demobilization of former combatants, in particular members of the Union des forces démocratiques pour le rassemblement and the Convention des patriotes pour la justice et la paix;

8. *Also welcomes* the finalization on 8 July 2011 of the national strategy for the reintegration of former combatants drafted with the support of the United Nations Integrated Peacebuilding Office in the Central African Republic, and urges the Government of the Central African Republic to redouble its efforts towards ensuring national ownership and full implementation of the strategy, in line with the wider security sector reform, and to define a timeline and draw up specific reintegration programmes in order to be able to seek support from bilateral and multilateral partners;

9. *Underscores* the importance of security sector reform in the Central African Republic, notes with concern the absence of a credible and viable national security sector reform strategy, and in this regard calls upon the Government of the Central African Republic to re-engage in a meaningful dialogue with the United Nations Integrated Peacebuilding Office in the Central African Republic on this issue, in particular by taking into consideration the security sector reform road map drafted by the Office in response to the request by the Government for help to revive the security sector reform process;

10. *Expresses concern* at the security situation in the Central African Republic, which remains precarious, welcomes in this regard the continued efforts of the Mission for the Consolidation of Peace in the Central African Republic in support of durable peace and security in the Central African Republic, and calls upon countries in the subregion and regional and subregional organizations to consider, upon the request of the Central African Republic, the extension of the mandate of the Mission and other measures deemed appropriate to improve the security situation in the Central African Republic and the subregion;

11. *Underscores* the primary responsibility of the Government of the Central African Republic to promote security and protect its civilians with full respect for the rule of law, human rights and international humanitarian law, stresses the importance of bilateral partners' work enhancing the capacity of the Central African Armed Forces, and stresses that such assistance should be in support of the wider security reform process;

12. *Also underscores* the need for Chad, the Sudan and the Central African Republic to implement the tripartite agreement, signed on 23 May 2011 in Khartoum, to enhance security in their common border areas through joint patrols, and also the need for Chad, the Central African Republic and Cameroon to pursue the tripartite initiative, signed in December 2005, aimed at enhancing security at their borders;

13. *Expresses deep concern* at the extensive recruitment and the acquisition of weapons by the Front populaire pour le redressement, which threaten peace and security in the Central African Republic and the region and constitute violations of the commitments made by the Front populaire pour le redressement to lay down its weapons and enter into discussions towards peace in the final communiqué signed on 13 June 2011 by the leader of the Front populaire pour le redressement, Mr. Baba Laddé, and the national mediators of Chad and the Central African Republic, condemns human rights violations perpetrated by the Front populaire pour le redressement, and encourages the Government of the Central African Republic to continue to liaise with the Government of Chad to reach a solution;

14. *Strongly condemns* the continued violations of international humanitarian and human rights law, including the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence and abductions perpetrated by armed groups, and specifically the Lord's Resistance Army, that threaten the population as well as the peace and stability of the Central African Republic and the subregion, and calls upon the United Nations Integrated Peacebuilding Office in the Central African Republic to report on human rights violations perpetrated by armed groups, particularly against children and women;

15. *Welcomes* the efforts of the Government of the Central African Republic to combat the Lord's Resistance Army on its territory, further welcomes the African Union's regional cooperation initiative for the elimination of the Lord's Resistance Army and the appointment of an African Union Special Envoy to coordinate this activity, and commends States in the region for their increased cooperation and efforts to address this threat;

16. *Also welcomes* the designation by the United Nations Integrated Peacebuilding Office in the Central African Republic of a focal point for Lord's Resistance Army-related activities and the establishment of a working group that includes national and international stakeholders, including the African Union, the European Union, the United States of America, France and the United Nations Regional Office for Central Africa, and calls upon the United Nations Integrated Peacebuilding Office in the Central African Republic to reinforce information-sharing on the Lord's Resistance Army, in particular with the United Nations Regional Office for Central Africa, the United Nations Office to the African Union, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the United Nations Mission in South Sudan and the newly appointed African Union Special Envoy on the Lord's Resistance Army, and to assist the Government of the Central African Republic in developing a strategy and supporting activities to encourage defections from the Lord's Resistance Army, and address the disarmament and demobilization of Lord's Resistance Army escapees and defectors, and their resettlement or repatriation to their countries of origin, within existing resources;

17. *Urges* all parties concerned to provide for unhindered humanitarian access to populations in need;

18. *Welcomes* the recent signature by the Armée populaire pour la restauration de la démocratie and the Convention des patriotes pour la justice et la paix of action plans to halt the recruitment and use of children, calls upon all remaining parties listed in the report of the Secretary-General on children and armed conflict to follow suit as soon as possible, welcomes the work of the Special Representative of the Secretary-General for Children and Armed Conflict in the Central African Republic and encourages the parties to continue engaging with her in this regard, calls upon the international community to support child reintegration efforts, and urges the Government of the Central African Republic to continue to strengthen the protection of children, including through the implementation of pertinent legislation and in the conduct of military operations;

19. *Expresses concern* at persistent incidents of sexual and gender-based violence, and encourages the United Nations Integrated Peacebuilding Office in the Central African Republic to continue engaging with the Government of the Central African Republic and other stakeholders, including the Special Representative of the Secretary-General for the Central African Republic, to address these issues;

20. *Urges* the Government of the Central African Republic to investigate reports of human rights violations in the country, to ensure that those who may be responsible for such violations are brought to justice and to take the steps necessary to prevent further violations;

21. *Encourages* the Government of the Central African Republic to more meaningfully engage the Bretton Woods institutions, especially the International Monetary Fund, as their assistance is critical for the revitalization of the economy and for the development of the country;

22. *Encourages* the Government of the Central African Republic, the Peacebuilding Commission and the country's national and international partners to honour the commitments made under the Strategic Framework for Peacebuilding in the Central African Republic,[218] requests the Commission, with the support of the United Nations Integrated Peacebuilding Office in the Central African Republic, to continue to assist the Government in laying the foundations for sustainable peace and development in the Central African Republic, including by ensuring that progress is made in the enforcement of the rule of law and that peacebuilding objectives are fully taken into account in the future strategic planning processes, and requests the Commission to provide advice to the Security Council on these issues;

23. *Commends* the Government of the Central African Republic for launching its second-generation poverty reduction strategy paper, and calls upon the Government to prioritize its objectives, including those on access to basic services and health care, food security, infrastructure and disarmament, demobilization and reintegration as well as security sector reform, and to tackle the issue of corruption and enhance fiscal transparency;

24. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6696th meeting

Decisions

At its 6780th meeting, on 6 June 2012, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2012/374)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Margaret Vogt, Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Integrated Peacebuilding Office in the Central African Republic.

THE SITUATION IN GUINEA-BISSAU[219]

Decisions

At its 6648th meeting, on 3 November 2011, the Security Council decided to invite the representatives of Angola and Guinea-Bissau (Minister of Economy, Planning and Regional Integration) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2011/655)".

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[218] PBC/3/CAF/7.

[219] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At its 6695th meeting, on 21 December 2011, the Council considered the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2011/655)".

Resolution 2030 (2011)
of 21 December 2011

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Guinea-Bissau, in particular resolutions 1876 (2009) of 26 June 2009 and 1949 (2010) of 23 November 2010,

Welcoming the efforts made by the Government of Guinea-Bissau towards the maintenance of stability and constitutional order, including the work of the National Assembly on reconciliation,

Noting the encouraging steps taken by the Government of Guinea-Bissau in achieving economic reform, including public administration and public finance reforms, and welcoming the adoption by the authorities of Guinea-Bissau of the second poverty reduction strategy paper and a national strategic document for action on the social determinants of health, and noting the efforts of bilateral partners to support the development of the health sector,

Stressing the importance of the upcoming legislative election in Guinea-Bissau and the need to have free, fair and transparent elections as a crucial and necessary step towards the consolidation of democracy and national reconciliation, and calling upon all stakeholders to contribute to a peaceful environment during and after the election,

Reaffirming that the Government of Guinea-Bissau and all stakeholders must remain committed to national reconciliation through genuine and inclusive political dialogue, respect for constitutional order, reforms in the defence, security and justice sectors, the promotion of the rule of law, human rights, the promotion of socioeconomic development and the fight against impunity and illicit drug trafficking,

Stressing the importance of security sector reform for the consolidation of peace in Guinea-Bissau and the need for the authorities of Guinea-Bissau to intensify efforts to create the enabling environment for enhanced civilian control over the security forces of Guinea-Bissau, in particular the armed forces,

Noting with deep concern the threats to national and subregional security and stability posed by the growth in illicit drug trafficking and organized crime in Guinea-Bissau, welcoming the approval by the Government of Guinea-Bissau of the 2011–2014 national operational plan to combat illicit drug trafficking and organized crime and the establishment in Guinea-Bissau, within the framework of the West Africa Coast Initiative, of a Transnational Crime Unit, and re-emphasizing the need to tackle the problem of illicit drug trafficking in the countries of origin, transit and final destination through an approach of common and shared responsibility,

Reiterating the importance of the continued support of the United Nations and the international community for the long-term security and development of Guinea-Bissau, particularly in the fields of security sector reform, justice and the fight against illicit drug trafficking and to create the enabling environment to fight impunity and strengthen Guinea-Bissau's institutional capacity, *Welcoming* the efforts of the Economic Community of West African States and the Community of Portuguese-speaking Countries to assist in the reforms of the defence and security sectors in Guinea-Bissau, noting the need for further efforts to implement the Economic Community of West African States-Community of Portuguese-speaking Countries road map in support of those reforms, and encouraging the international community to remain engaged in addressing key challenges in the country,

Reiterating the importance of regional and subregional cooperation in addressing the challenges faced by Guinea-Bissau,

Encouraging relevant stakeholders to remain engaged in addressing key governance and peacebuilding challenges in the country,

Re-emphasizing that the Government of Guinea-Bissau bears the primary responsibility for security, the protection of its civilian population, peacebuilding and long-term development in the country,

Recalling its appreciation for the work of the United Nations Integrated Peacebuilding Office in Guinea-Bissau in coordinating the assistance provided by the United Nations and international partners to Guinea-Bissau,

Welcoming the continued engagement of the Peacebuilding Commission in Guinea-Bissau and the recent visit of the Chair of the Guinea-Bissau configuration of the Commission, taking note of the briefing by the Chair of the Guinea-Bissau configuration on 3 November 2011,[220] and acknowledging the contribution of the Peacebuilding Fund to peacebuilding in Guinea-Bissau,

Reaffirming its full commitment to the consolidation of peace and stability in Guinea-Bissau,

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, as established in paragraph 3 of resolution 1876 (2009), until 28 February 2013;

2. *Takes note* of the report of the Secretary-General of 21 October 2011 on Guinea-Bissau[221] and of the recommendations contained therein, and welcomes the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau;

3. *Takes note also* of the strategic workplan developed pursuant to resolution 1949 (2010), emphasizes that the reform of the defence and security sectors, the fight against impunity and the fight against illicit drug trafficking remain priority sectors for peace consolidation in Guinea-Bissau, and further requests the Secretary-General to measure and track progress, in the next reports, on the work of the United Nations Integrated Peacebuilding Office in Guinea-Bissau in support of efforts by the relevant authorities of Guinea-Bissau in those sectors through the appropriate benchmarks, including recommendations to address gaps if there are any, without prejudice to the remaining tasks of the mandate of the Office;

4. *Calls upon* the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country, to use legal and peaceful means to resolve differences and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, including the national conference on reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts;

5. *Urges* members of the armed forces of Guinea-Bissau, in particular their leaders, to respect constitutional order, civilian rule and oversight, as well as the rule of law and human rights, to refrain from any interference in political issues, to guarantee the security of the national institutions as well as the population in general, and to fully participate in the reform of the defence and security sectors, and further urges Guinea-Bissau's political leaders to refrain from involving the military and the judiciary in politics;

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[220] See S/PV.6648.

[221] S/2011/655.

6. *Requests* the Secretary-General, through his Special Representative, to continue to assist the Government of Guinea-Bissau to enhance its coordination of international assistance for credible security sector reform under the principle of national ownership and full civilian control of the military;

7. *Welcomes* the partnership between the Economic Community of West African States and the Community of Portuguese-speaking Countries to support security sector reform in Guinea-Bissau, calls upon the Economic Community of West African States, the Community of Portuguese-speaking Countries and the Government of Guinea-Bissau to continue to fulfil their commitments within the framework of the Economic Community of West African States-Community of Portuguese-speaking Countries road map, especially the operationalization of a pension fund for members of the armed forces and security services, including their leaders, as well as the rejuvenation and professionalization of the military and security structures, recognizes the importance of contributions to the pension fund to take forward security sector reform, and in this context further welcomes the contribution of the Government to the pension fund, and further calls upon the authorities of Guinea-Bissau to complete the adoption of the basic legislation and framework related to the reform of the defence and security sectors, including the pension fund;

8. *Calls for* the conclusion of the investigations into the political assassinations of March and June 2009 as soon as possible, calls upon the Government of Guinea-Bissau to create the enabling environment to ensure that the work of the national commission of inquiry is credible, transparent and consistent with internationally agreed standards, and requests the Secretary-General to assist in the conclusion of these investigations, and further calls upon the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries, the European Union and other partners to support, as appropriate, these and other efforts by the authorities to end impunity;

9. *Calls upon* the authorities of Guinea-Bissau to ensure the prosecution, with full respect for due process, of those responsible for all criminal acts, including illicit drug trafficking;

10. *Urges* the Government of Guinea-Bissau to continue to tackle corruption, including by implementing the United Nations Convention against Corruption;[222]

11. *Encourages* the Government of Guinea-Bissau to continue the implementation of the West Africa Coast Initiative in the country;

12. *Urges* the international community, including the Peacebuilding Commission and regional organizations such as the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries and the European Union, as well as bilateral partners as appropriate, to increase their support to the West Africa Coast Initiative to fight transnational organized crime and illicit drug trafficking, which threaten security and stability in Guinea-Bissau and in the subregion; welcomes in this regard the commitment of the Government of Guinea-Bissau to tackle this threat through the implementation of its 2011–2014 national operational plan, and calls upon the Government to allocate the resources necessary to implement the plan and for international partners to assist national authorities in this regard;

13. *Requests* the Peacebuilding Commission to continue to support the implementation of Guinea-Bissau's peacebuilding priorities as well as to continue to provide advice to the Security Council on how to remove critical obstacles to peacebuilding in Guinea-Bissau, in particular security sector reform and illicit drug trafficking, and to keep the Council updated on progress it has made in helping to address these;

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[222] United Nations, *Treaty Series*, vol. 2349, No. 42146.

14. *Calls upon* all national stakeholders, including political, military and civil society actors, to fully participate in the national conference on reconciliation and to ensure that a follow-up mechanism to implement the recommendations of the national conference is put in place;

15. *Encourages* the Special Representative to continue to pursue efforts to enhance the integration and effectiveness of the United Nations presence on the ground in support of the stabilization, peace and development priorities of the Government and people of Guinea-Bissau and, further, to give special attention to increased interaction with the authorities of Guinea-Bissau in order to strengthen their institutional capacities;

16. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010, underlines that a gender perspective should continue to be taken into account in implementing all aspects of the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and encourages the Office to continue to work with national authorities in this regard, and relevant stakeholders to improve women's participation in peacebuilding;

17. *Requests* the Secretary-General to report on progress made in implementing the present resolution and the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau as outlined in resolution 1876 (2009), through a briefing in March 2012, a report in July 2012 and every six months thereafter;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6695th meeting.

Decisions

At its 6743rd meeting, on 28 March 2012, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Guinea-Bissau".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At its 6754th meeting, on 19 April 2012, the Council decided to invite the representatives of Angola (Minister of External Relations), Côte d'Ivoire and Guinea-Bissau (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Guinea-Bissau".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At its 6755th meeting, on 21 April 2012, the Council considered the item entitled "The situation in Guinea-Bissau".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[223]

> "The Security Council recalls its statement to the press of 13 April 2012[224] and reiterates its strong condemnation of the military coup d'état by the military leadership and political elements in Guinea Bissau, thereby undermining the conclusion of the legitimate presidential electoral process.
>
> "The Council rejects the unconstitutional establishment of a Transitional National Council by the military leadership and its supporters.
>
> "The Security Council demands the immediate restoration of the constitutional order as well as the reinstatement of the legitimate Government of Guinea-Bissau. The Council further demands the immediate and unconditional release of the interim President, Mr. Raimundo Pereira, the Prime Minister, Mr. Carlos Gomes Júnior, and all officials currently detained in order to enable the completion of the presidential and legislative elections. In this regard, the Council welcomes the decision of the Peace and Security Council of the African Union to suspend, with immediate effect, Guinea-Bissau from the African Union until the effective restoration of constitutional order.
>
> "The Security Council underlines the need to ensure the safety and security of those detained and that those responsible for violent and illegal acts must be held accountable.
>
> "The Council is deeply concerned by reports of violent repression of peaceful demonstrations, looting, restriction of freedom of movement and the arbitrary detention of civilians and demands their release. The Council calls upon the military leadership to release information on the number of arrests and the names and whereabouts of those arrested and further calls upon the military to protect human rights, including the rights to freedom of movement, peaceful assembly and expression.
>
> "The Council welcomes and supports the active engagement and measures undertaken by the African Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries, and encourages the coordination of these efforts for the immediate restoration of the constitutional order in Guinea-Bissau.
>
> "The Council urges Guinea-Bissau's partners to further strengthen these efforts and requests the Secretary-General to support these endeavours, namely through his Special Representatives.
>
> "The Council stands ready to consider possible further measures, including targeted sanctions against the perpetrators and supporters of the military coup d'état, should the situation remain unresolved.
>
> "The Council takes note of the decision of the African Union to initiate consultations with the Economic Community of West African States, the Community of Portuguese-speaking Countries, the United Nations and other partners on possible additional means necessary for the stabilization of the country, in consultation with the legitimate Government of Guinea-Bissau.
>
> "The Council requests the Secretary-General to keep it informed on developments in Guinea-Bissau and to submit a report by 30 April 2012 concerning the re-establishment of the constitutional order in Guinea-Bissau.
>
> "The Council stresses that the recurrence of illegal interference of the military in politics contributes to the persistence of instability and a culture of impunity and hampers

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[223] S/PRST/2012/15.

[224] SC/10607.

efforts towards consolidation of the rule of law, implementation of security sector reform, promotion of development and entrenchment of a democratic culture. In this regard, the Council welcomes the efforts of the Guinea-Bissau configuration of the Peacebuilding Commission and of the Angolan bilateral mission (MISSANG) in pursuit of peace and stability in the country.

"The members of the Council emphasize the need to uphold and respect the sovereignty, unity and territorial integrity of Guinea-Bissau.

"The Council will remain actively seized of the matter."

At its 6766th meeting, on 7 May 2012, the Council decided to invite the representatives of Angola (Minister for External Relations) and Guinea-Bissau (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

"Special report of the Secretary-General on the situation in Guinea-Bissau (S/2012/280)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Salamatu Hussaini Suleiman, Commissioner for Political Affairs, Peace and Security of the Economic Community of West African States Commission.

At its 6774th meeting, on 18 May 2012, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Guinea-Bissau".

Resolution 2048 (2012)
of 18 May 2012

The Security Council,

Recalling the statement by its President of 21 April 2012[223] and its statements to the press of 13 April[224] and 8 May 2012[225] on the situation in Guinea-Bissau,

Reiterating its strong condemnation of the military coup d'état on 12 April 2012 by the military leadership, which undermined the conclusion of the democratic electoral process in Guinea-Bissau, and of the establishment by the perpetrators of the coup d'état of a "Military Command",

Recalling the unanimous condemnation of the military coup d'état by the international community, including by the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries, the European Union and the Peacebuilding Commission,

Taking note of the efforts of the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries and the European Union in response to the current crisis and the mediation efforts led by the Economic Community of West African States in response to the recent military coup d'état,

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[225] SC/10640.

Underlining the need for active and close coordination among international partners in order to restore constitutional order and develop a comprehensive strategy of stabilization to support Guinea-Bissau in addressing its political, security and development challenges,

Taking note of the calls by the Government of Guinea-Bissau for a response of the Security Council to the current crisis,

Taking note also of the release of the interim President, Mr. Raimundo Pereira, the Prime Minister, Mr. Carlos Gomes Júnior, and other detained officials,

Deploring the continued refusal of the "Military Command" to heed the demands of the Council for the immediate restoration of the constitutional order, the reinstatement of the legitimate democratic Government of Guinea-Bissau and the resumption of the electoral process interrupted by the military coup d'état,

Expressing concern about reports of cases of looting, including of State assets, human rights violations and abuses, including arbitrary detentions, ill-treatment during detention, the repression of peaceful demonstrations and the restrictions on the freedom of movement imposed by the "Military Command" on a number of individuals, as noted in the special report of the Secretary-General on the situation in Guinea-Bissau,[226] and underlining that those responsible for such violations and abuses must be held accountable,

Affirming its condemnation of all acts of violence, including against women and children, and stressing the need to prevent violence,

Noting with deep concern the worrying humanitarian situation caused by the coup d'état and its negative impact on the economic activity in the country,

Stressing the importance of the implementation of security sector reform, including effective and responsible civilian control over the security forces, as a crucial element for long-term stability in Guinea-Bissau, as envisaged in the Guinea-Bissau/Economic Community of West African States/Community of Portuguese-speaking Countries road map, and underlining the responsibility of police forces in Guinea-Bissau to protect State institutions and the civilian population,

Deploring the recurrent illegal interference of the military leadership in the political process in Guinea-Bissau, and expressing concern that interference of the military in politics and the impact of illicit drug trafficking and organized crime in Guinea-Bissau have significantly hampered efforts to establish the rule of law and good governance and tackle impunity and corruption,

Expressing grave concern over the negative impacts of illicit drug trafficking and organized crime on Guinea-Bissau and the subregion,

Expressing deep concern about the possible increase in illicit drug trafficking as a result of the military coup d'état,

Underlining that any lasting solution to instability in Guinea-Bissau should include concrete actions to fight impunity and ensure that those responsible for politically motivated assassinations and other serious crimes such as illicit drug trafficking-related activities and breaches of constitutional order are brought to justice,

Underlining also the importance of stability and good governance for durable social and economic development in Guinea-Bissau,

Reaffirming the need to uphold and respect the sovereignty, unity and territorial integrity of Guinea-Bissau,

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[226] S/2012/280

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Article 41 of Chapter VII of the Charter,

1. *Demands* that the "Military Command" take immediate steps to restore and respect constitutional order, including a democratic electoral process, by ensuring that all soldiers return to the barracks, and that members of the "Military Command" relinquish their positions of authority;

2. *Stresses* the need for all national stakeholders and Guinea-Bissau's international bilateral and multilateral partners to remain committed to the restoration of constitutional order, as affirmed in paragraph 1 above, and in this context encourages the Economic Community of West African States to continue its mediation efforts aimed at the restoration of constitutional order, in close coordination with the United Nations, the African Union and the Community of Portuguese-speaking Countries;

3. *Requests* the Secretary-General to be actively engaged in this process, in order to harmonize the respective positions of international bilateral and multilateral partners, particularly the African Union, the Economic Community of West African States, the Community of Portuguese-speaking Countries and the European Union, and ensure maximum coordination and complementarity of international efforts, with a view to developing a comprehensive integrated strategy with concrete measures aimed at implementing security sector reform and political and economic reforms, combating drug trafficking and fighting impunity;

Travel ban

4. *Decides* that all Member States shall take the measures necessary to prevent the entry into or transit through their territories of individuals listed in the annex to the present resolution or designated by the Committee established pursuant to paragraph 9 below, provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory;

5. *Decides also* that the measures imposed by paragraph 4 above shall not apply:

(*a*) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(*b*) Where entry or transit is necessary for the fulfilment of a judicial process;

(*c*) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Guinea-Bissau and stability in the region;

Designation criteria

6. *Decides* that the measures contained in paragraph 4 above shall apply to the individuals designated by the Committee, pursuant to paragraph 9 (*b*) below:

(*a*) Seeking to prevent the restoration of the constitutional order or taking action that undermines stability in Guinea-Bissau, in particular those who played a leading role in the coup d'état of 12 April 2012 and who aim, through their actions, at undermining the rule of law, curtailing the primacy of civilian power and furthering impunity and instability in the country;

(*b*) Acting for or on behalf of or at the direction of or otherwise supporting or financing individuals identified in subparagraph (*a*) above;

7. *Notes* that such means of support or financing include, but are not limited to, the proceeds from organized crime, including the illicit cultivation and production of and trafficking in narcotic drugs and their precursors originating in and transiting through Guinea-Bissau;

8. *Strongly encourages* Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 6 above;

New sanctions committee

9. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council ("the Committee"), to undertake the following tasks:

(*a*) To monitor implementation of the measures imposed in paragraph 4 above;

(*b*) To designate those individuals subject to the measures imposed by paragraph 4 above and to consider requests for exemptions in accordance with paragraph 5 above;

(*c*) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(*d*) To report within thirty days to the Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

(*e*) To encourage a dialogue between the Committee and interested Member States and international, regional and subregional organizations, in particular those in the region, including by inviting representatives of such States or organizations to meet with the Committee to discuss implementation of the measures;

(*f*) To seek from all States and international, regional and subregional organizations whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

(*g*) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in the present resolution;

10. *Calls upon* all Member States to report to the Committee within one hundred and twenty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraph 4 above;

11. *Requests* the Secretary-General to submit to the Council an initial report on the implementation of paragraph 1 above within fifteen days of the adoption of the present resolution, and regular reports, every ninety days thereafter, on the implementation of all its elements, as well as on the humanitarian situation in Guinea-Bissau;

Commitment to review

12. *Affirms* that it shall keep the situation in Guinea-Bissau under continuous review and that it shall be prepared to review the appropriateness of the measures contained in the present resolution, including the strengthening through additional measures, such as an embargo on arms and financial measures, modification, suspension or lifting of the measures, as may be needed at any time in the light of the progress achieved in the stabilization of the country and the restoration of the constitutional order, in compliance with the present resolution;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6774th meeting.

Annex

Travel ban

1. General António INJAI (a.k.a António INDJAI)
   Nationality: Guinea-Bissau
   Date of birth: 20 January 1955
   Place of birth: Encheia, Sector de Bissorá, Região de Oio, Guinea-Bissau
   Parentage: Wasna Injai and Quiritche Cofte

Official function: Lieutenant General – Chief of Staff of the Armed Forces

Passport: Diplomatic passport AAID00435

Date of issue: 18.02.2010

Place of issue: Guinea-Bissau

Date of expiry: 18.02.2013

António Injai was personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal apprehension of the Prime Minister, Carlos Gomes Júnior, and the then Chief of Staff of the Armed Forces, José Zamora Induta; during the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai made statements threatening to overthrow the elected authorities and to put an end to the electoral process; António Injai has been involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the "Military Command" was issued by the Armed Forces General Staff, which is led by General Injai.

2. Major General Mamadu TURE (a.k.a. N'KRUMAH)

Nationality: Guinea-Bissau

Date of birth: 26 April 1947

Official function: Deputy Chief of Staff of the Armed Forces

Passport: Diplomatic passport DA0002186

Date of issue: 30.03.2007

Place of issue: Guinea-Bissau

Date of expiry: 26.08.2013

Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.

3. General Estêvão NA MENA

Nationality: Guinea-Bissau

Date of birth: 07 March 1956

Official function: Inspector-General of the Armed Forces

Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.

4. Brigadier General Ibraima CAMARÁ (a.k.a. "Papa Camará")

Nationality: Guinea-Bissau

Date of birth: 11 May 1964

Parentage: Suareba Camará and Sale Queita

Official function: Chief of Staff of the Air Force

Passport: Diplomatic passport AAID00437

Date of issue: 18.02.2010

Place of issue: Guinea-Bissau

Date of expiry: 18.02.2013

Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.

5. Lieutenant Colonel Daba NAUALNA (a.k.a. Daba Na Walna)

Nationality: Guinea-Bissau

Date of birth: 6 June 1966

Parentage: Samba Naualna and In-Uasne Nanfafe

Official function: Spokesperson of the "Military Command"

Passport: Passport SA000417

Date of issue: 29.10.2003

Place of issue: Guinea-Bissau

Date of expiry: 10.03.2013

Spokesperson of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.

Decisions

At its 6818th meeting, on 26 July 2012, the Security Council decided to invite the representatives of Côte d'Ivoire, Guinea-Bissau and Mozambique to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2012/554)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

PROTECTION OF CIVILIANS IN ARMED CONFLICT[227]

Decisions

At its 6650th meeting, on 9 November 2011, the Security Council decided to invite the representatives of Armenia, Australia, Austria, Azerbaijan, Bangladesh, Canada, Chile, Egypt, Georgia, Guatemala, Honduras, Israel, Japan, Liechtenstein, Luxembourg, Malaysia, Mexico, Morocco, Norway, Pakistan, Peru, Slovenia, Sri Lanka, the Sudan, Switzerland, the Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, and Ms. Catherine Bragg, Assistant Secretary-General for Humanitarian Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Philip Spoerri, Director for International Law and Cooperation of the International Committee of the Red Cross.

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[227] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Mateya Kelley, representative of the International Humanitarian Fact-Finding Commission, in response to the request dated 8 November 2011 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Council.

At its 6790th meeting, on 25 June 2012, the Council decided to invite the representatives of Argentina, Armenia, Australia, Austria, Bangladesh, Brazil, Canada, Chile, Egypt, Estonia, Finland, Greece, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Mexico, the Philippines, the Republic of Korea, Sri Lanka, Switzerland, the Syrian Arab Republic, Turkey, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Protection of civilians in armed conflict

> "Report of the Secretary-General on the protection of civilians in armed conflict (S/2012/376)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Mr. Ivan Šimonović, Assistant Secretary-General and Head of the New York Office of the Office of the United Nations High Commissioner for Human Rights.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Philip Spoerri, Director for International Law and Cooperation of the International Committee of the Red Cross.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

WOMEN AND PEACE AND SECURITY[228]

Decisions

On 20 September 2011, the President of the Security Council issued the following note:[229]

> "Following consultations among the members of the Security Council, it has been agreed that the report of the Secretary-General on the implementation of resolutions 1820 (2008), 1888 (2009) and 1960 (2010) requested in paragraph 18 of resolution 1960 (2010) shall be submitted by January 2012.
>
> "In addition, the review of the mandates of the Special Representative and the Team of Experts, requested in paragraph 28 of resolution 1888 (2009), shall be conducted by January 2012."

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[228] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[229] S/2011/583.

At its 6642nd meeting, on 28 October 2011, the Council decided to invite the representatives of Afghanistan, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Burundi, Canada, Chile, Croatia, Estonia, Fiji, Finland, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Mexico, Morocco, Nepal, the Netherlands, Peru, the Republic of Korea, Senegal, Solomon Islands, Spain, the Sudan, Switzerland, Timor-Leste, Tunisia, Turkey, Ukraine and Vanuatu to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Women and peace and security

> "Report of the Secretary-General on women and peace and security (S/2011/598)
>
> "Letter dated 20 October 2011 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General (S/2011/654)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Michelle Bachelet, Under-Secretary-General and Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and Mr. Lazarous Kapambwe, President of the Economic and Social Council.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Orzala Ashraf Nemat, representative of the NGO Working Group on Women, Peace and Security.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Eirini Lemos-Maniati, North Atlantic Treaty Organization Civilian Liaison Officer to the United Nations, in response to the request dated 28 October 2011 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[230]

> "The Security Council reaffirms its commitment to the full and effective implementation of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women and peace and security and all relevant statements by its President.
>
> "The Council urges all parties to fully comply with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women, of 1979[231] and the Optional Protocol thereto, of 1999[232] and strongly encourages States that have not ratified or acceded to the Convention and Optional Protocol to consider doing so.
>
> "The Council recalls the 2005 World Summit Outcome,[233] the Beijing Declaration and Platform for Action,[234] the outcome documents of the twenty-third special session of the

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[230] S/PRST/2011/20.

[231] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[232] Ibid., vol. 2131, No. 20378.

[233] See General Assembly resolution 60/1.

[234] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century',[235] and the declaration of the fifty-fourth session of the Commission on the Status of Women.[236]

"The Council welcomes the report of the Secretary-General of 29 September 2011 on women and peace and security,[237] and takes note of the analysis and recommendations it contains on progress in implementing commitments on women and peace and security, including on the representation and participation of women in decision-making forums, institutions and mechanisms related to the prevention and resolution of armed conflict and to peacebuilding.

"The Council welcomes the commitments and efforts of Member States, regional organizations and the Secretary-General to implement its resolutions on women and peace and security. The Council, however, remains concerned about the persistence of gaps and challenges that seriously hinder the implementation of resolution 1325 (2000), including the continued low number of women in formal institutions of conflict prevention and resolution, particularly in preventive diplomacy and mediation efforts.

"The Council stresses the importance of promoting and protecting the human rights of women and girls in the context of the implementation of resolution 1325 (2000), fully implementing international humanitarian law and human rights law in armed conflict and post-conflict situations, increasing women's participation in conflict prevention, resolution and peacebuilding and incorporating a gender perspective into United Nations field missions.

"The Council welcomes the contributions and role of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in implementing resolutions on women and peace and security. The Council expresses its intention to welcome briefings by the Under-Secretary-General and Executive Director of UN-Women. The Council notes with satisfaction the increased coordination and coherence in policy and programming for women and girls within the United Nations system since the creation of UN-Women. In this regard, the Council underlines the importance of the mandates of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict, which contribute to the work on the women and peace and security agenda.

"The Council reiterates its strong condemnation of all violations of applicable international law committed against women and girls in armed conflict and post-conflict situations and urges the complete cessation by all parties of such acts with immediate effect. The Council also urges Member States to bring to justice those responsible for crimes of this nature.

"The Council notes that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals. The Council reiterates its intention to enhance its efforts to fight impunity and uphold accountability for serious crimes against women and girls with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth and reconciliation commissions as well as national reparation programmes for victims, institutional reforms and traditional dispute resolution mechanisms.

"The Council welcomes the efforts of Member States to implement resolution 1325 (2000) at the national level, including the increase in the number of States that have formulated or revised national action plans and strategies. The Council reiterates its call to Member States to continue to implement resolution 1325 (2000), including through the development of national action plans or other national-level strategies.

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[235] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[236] See *Official Records of the Economic and Social Council, 2010, Supplement No. 7* and corrigendum (E/2010/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2010/232.

[237] S/2011/598.

"The Council recalls the statement by its President of 22 September 2011[238] on preventive diplomacy, in which it, inter alia, recognized the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterated its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts. The Council recalls General Assembly resolution 65/283 on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution and the encouragement it contains to promote equal, full and effective participation of women in all forums and at all levels of the peaceful settlement of disputes, conflict prevention and resolution, particularly at the decision-making level.

"The Council encourages efforts by Member States, the United Nations Secretariat, United Nations field missions, United Nations agencies, funds and programmes, international financial institutions and regional and subregional organizations to, as appropriate, provide support and strengthen the capacities of relevant government institutions and women's organizations engaged in issues related to armed conflict or post-conflict situations. The Council underlines the importance of the participation of women in conflict prevention and resolution efforts, including in the negotiation and implementation of peace agreements, as well as international dialogues, contact groups, engagement conferences and donor conferences in support of conflict resolution. In this regard, the Council reiterates the need to support, as appropriate, local women's peace initiatives, processes for conflict resolution and initiatives that involve women in implementation mechanisms of the peace agreements, including through the local-level presence of United Nations field missions.

"The Council acknowledges the significant contribution that women can have in conflict prevention and mediation efforts and encourages Member States and international and regional organizations to take measures to increase the number of women involved in mediation efforts and the number of women in representative roles in regional and international organizations. The Council therefore stresses the importance of creating enabling conditions for women's participation during all stages of peace processes and for countering negative societal attitudes regarding full and equal participation of women in conflict resolution and mediation.

"The Council continues to encourage Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations and reiterates that all military and police personnel should be provided with adequate training to carry out their responsibilities.

"The Council encourages negotiating parties and mediation teams to adopt a gender perspective in negotiating and implementing peace agreements and to facilitate increased representation of women in peacebuilding forums. In this regard, the Council requests the Secretary-General and relevant United Nations entities to assist, as appropriate, in enabling regular consultations between women's groups and relevant participants in conflict mediation and peacebuilding processes. The Council also requests the Secretary-General to ensure that regular briefings are provided to his mediators and their teams on gender issues relevant to peace agreement provisions and specific obstacles to full and equal political participation of women.

"The Council recognizes the need for more systematic attention to and implementation of women and peace and security commitments in its own work and expresses its willingness to ensure that measures to enhance women's engagement in conflict prevention and resolution and peacebuilding are advanced in its work, including on preventive

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[238] S/PRST/2011/18.

> diplomacy. The Council welcomes the intention of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to incorporate a gender perspective in its work.
>
> "The Council reiterates its intention to convene a high-level review in 2015 to assess progress at the global, regional and national levels in implementing resolution 1325 (2000), renew commitments and address obstacles and constraints that have emerged in the implementation of resolution 1325 (2000).
>
> "The Council requests the Secretary-General in his next annual report on resolution 1325 (2000) to include, inter alia, a comprehensive overview of specific actions, achievements and challenges to the implementation of the present statement, in particular those concerning the participation of women in mediation and preventive diplomacy."

At its 6722nd meeting, on 23 February 2012, the Council decided to invite the representatives of Afghanistan, Armenia, Australia, Bangladesh, Belgium (Deputy Prime Minister and Minister for Foreign Affairs, Foreign Trade and European Affairs), Botswana, Brazil, Canada, Egypt, El Salvador, Estonia, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Mexico, Nepal, Peru, the Republic of Korea, Spain, Sri Lanka, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, Tunisia and Viet Nam to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Women and peace and security

"Report of the Secretary-General on conflict-related sexual violence (S/2012/33)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, and Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Amina Megheirbi, representative of the NGO Working Group on Women, Peace and Security.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[239]

> "The Security Council reaffirms its commitment to the full and effective implementation of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women and peace and security and all relevant statements by its President.
>
> "The Council thanks the Secretary-General for his report on conflict-related sexual violence,[240] and takes note of the analysis and recommendations contained therein.
>
> "The Council is deeply concerned about incidents, trends and patterns of sexual violence in armed conflict and post-conflict situations, including the deliberate targeting of civilians for sexual violence, inter alia, for political motivations, and its use as a tactic of war. The Council further notes with concern that sexual violence disproportionately affects women and girls, while also affecting men and boys. The Council stresses that acts of sexual violence not only severely undermine the critical contribution of women to society, but also challenge inclusive and sustainable peace processes.

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[239] S/PRST/2012/3.

[240] S/2012/33.

"In the context of the full implementation of resolution 1960 (2010), the Council stresses the need for continued timely, verified and accurate data collection through the monitoring, analysis and reporting arrangements on sexual violence in situations of armed conflict and post-conflict and other situations relevant to the implementation of resolution 1888 (2009), which will contribute to better informed discussions and assist the consideration by the Council of appropriate action, possibly including targeted and graduated measures. The Council stresses that approaches to data collection and reporting should adhere to safe and ethical practices and maintain the dignity of the victim at all times.

"The Council stresses the importance of prevention, early warning and effective response to sexual violence when it is used as a tactic of war or as part of a widespread or systematic attack against civilian populations.

"The Council encourages United Nations peacekeeping missions to draw upon, where appropriate, the United Nations Action against Sexual Violence in Conflict publication which compiles peacekeeping practices, as a reference tool to prevent sexual violence more effectively.

"The Council urges all parties to conflict to comply fully with their obligations under applicable international law, including the prohibition of all forms of sexual violence. The Council reiterates its strong condemnation of all violations of applicable international law, including international humanitarian law and international human rights law, in armed conflict and post-conflict situations, in particular acts of sexual violence. The Council urges the complete cessation of such acts with immediate effect. The Council notes that impunity for perpetrators can undermine confidence in existing institutions and promote instability.

"The Council reiterates that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals. The Council also reiterates its intention to enhance its efforts to fight impunity and uphold accountability for serious crimes against women and girls with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth and reconciliation commissions, as well as national reparation programmes for victims, institutional reforms and traditional dispute resolution mechanisms.

"The Council encourages Member States and the United Nations system to continue raising awareness of the impact that sexual violence in armed conflict and post-conflict situations has on victims, families, communities and societies. The Council stresses the importance of countering negative societal attitudes towards survivors of sexual violence that can lead to their exclusion from communities or other discriminatory practices.

"The Council calls upon Member States with the support of the United Nations system and other relevant stakeholders to increase access to health care, psychosocial support, legal assistance and socioeconomic reintegration services for victims of sexual violence, in particular in rural areas. The Council stresses the importance of ensuring that such incidents can be reported safely.

"The Council continues to encourage Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations and reiterates that all United Nations military and police personnel, and other personnel should be provided with adequate training, including on sexual and gender-based violence, to carry out their responsibilities. The Council acknowledges the efforts of the Secretary-General to continue and strengthen efforts to implement the zero-tolerance policy on sexual exploitation and abuse by all United Nations personnel. The Council looks forward to the deployment of women's protection advisers to United Nations missions, as called for in resolutions 1888 (2009), 1889 (2009) and 1960 (2010).

> "The Council reiterates the important role of women in the prevention and resolution of conflict and in peacebuilding. The Council notes with concern the continuing underrepresentation of women in formal peace processes and recognizes the efforts of the Secretary-General to address this underrepresentation. In this regard, the Council reiterates the call made by the General Assembly in its resolution 66/130 to increase the role of women in decision-making with regard to conflict prevention and resolution in accordance with Council resolution 1325 (2000).
>
> "The Council reiterates the importance of addressing sexual violence issues from the outset of peace processes, mediation efforts, ceasefires and peace agreements, particularly in provisions for security arrangements, transitional justice and reparations. The Council stresses the need for mediators and ceasefire monitors to be properly trained to address sexual violence.
>
> "The Council stresses the importance of addressing sexual violence in armed conflict and post-conflict situations in the context of security sector reform initiatives and arrangements, including training, vetting and capacity-building of national security actors.
>
> "The Council commends the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict in carrying out her mandate in accordance with relevant resolutions of the Council. The Council underlines the importance of her mandate and the mandate of the Team [illegible] Experts on the Rule of Law and Sexual Violence in Conflict, which contribute to the women and peace and security agenda. The Council invites the Special Representative to continue to provide briefings and information consistent with her mandate and the Secretary-General to recommend appropriate actions."

At its 6759th meeting, on 24 April 2012, the Council considered the item entitled "Women and peace and security".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Michelle Bachelet, Under-Secretary-General and Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

BRIEFING BY THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE[241]

Decision

At its 6637th meeting, held in private on 25 October 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6637th meeting, held in private on 25 October 2011, the Security Council considered the item entitled 'Briefing by the President of the International Court of Justice'.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Judge Hisashi Owada, President of the International Court of Justice.
>
> "Members of the Council and Judge Owada had an exchange of views."

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[241] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

BRIEFING BY THE CHAIRPERSON-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE[242]

Decisions

At its 6715th meeting, on 9 February 2012, the Security Council considered the item entitled "Briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Eamon Gilmore, Chairperson-in-Office of the Organization for Security and Cooperation in Europe and Deputy Prime Minister and Minister for Foreign Affairs and Trade of Ireland.

MEETING OF THE SECURITY COUNCIL WITH THE TROOP- AND POLICE-CONTRIBUTING COUNTRIES PURSUANT TO RESOLUTION 1353 (2001), ANNEX II, SECTIONS A AND B[242]

A. United Nations Peacekeeping Force in Cyprus

Decisions

At its 6676th meeting, held in private on 7 December 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 December 2011, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6676th meeting, in private with the troop- and police-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Special Representative of the Secretary-General in Cyprus and Head of the United Nations Peacekeeping Force in Cyprus."

At its 6801st meeting, held in private on 5 July 2012, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 5 July 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6801st meeting, in private with the troop- and police-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Special Representative of the Secretary-General in Cyprus and Head of the United Nations Peacekeeping Force in Cyprus.
>
> "Members of the Council, Ms. Buttenheim and representatives of participating troop- and police-contributing countries had an exchange of views."

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[242] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

B. United Nations Disengagement Observer Force

Decisions

At its 6680th meeting, held in private on 13 December 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 13 December 2011, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6680th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Susan Allee, Middle East and Western Sahara Integrated Operation Team Leader of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Ms. Allee and representatives of participating troop-contributing countries had an exchange of views."

At its 6787th meeting, held in private on 14 June 2012, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 14 June 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6787th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop-contributing countries had an exchange of views."

C. United Nations Interim Force in Lebanon

Decision

At its 6600th meeting, held in private on 16 August 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 16 August 2011, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6600th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop-contributing countries had an exchange of views."

D. United Nations Mission for the Referendum in Western Sahara

Decision

At its 6750th meeting, held in private on 12 April 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 12 April 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6750th meeting, in private with the troop- and police-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop- and police-contributing countries had an exchange of views."

E. United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Decision

At its 6779th meeting, held in private on 6 June 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 6 June 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6779th meeting, in private with the troop- and police-contributing countries to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Roger Meece, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.
>
> "Members of the Council, Mr. Meece and representatives of participating troop- and police-contributing countries had an exchange of views."

F. United Nations Mission in Liberia

Decision

At its 6608th meeting, held in private on 7 September 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 September 2011, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6608th meeting, in private with the troop- and police-contributing countries to the United Nations Mission in Liberia.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia.
>
> "Members of the Council, Ms. Løj and representatives of participating troop- and police-contributing countries had an exchange of views."

G. United Nations Operation in Côte d'Ivoire

Decision

At its 6802nd meeting, held in private on 10 July 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 July 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6802nd meeting, in private with the troop- and police-contributing countries to the United Nations Operation in Côte d'Ivoire.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council, via video teleconference, by Mr. Albert Koenders, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.
>
> "Members of the Council, Mr. Koenders and representatives of participating troop- and police-contributing countries had an exchange of views."

H. United Nations Stabilization Mission in Haiti

Decision

At its 6615th meeting, held in private on 14 September 2011, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 14 September 2011, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6615th meeting, in private with the troop- and police-contributing countries to the United Nations Stabilization Mission in Haiti.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Mariano Fernández, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.
>
> "Members of the Council, Mr. Fernández and representatives of participating troop- and police-contributing countries had an exchange of views."

I. United Nations Integrated Mission in Timor-Leste

Decision

At its 6714th meeting, held in private on 9 February 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 9 February 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6714th meeting, in private with the troop- and police-contributing countries to the United Nations Integrated Mission in Timor-Leste.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop- and police-contributing countries had an exchange of views."

J. African Union-United Nations Hybrid Operation in Darfur

Decision

At its 6806th meeting, held in private on 18 July 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 18 July 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6806th meeting, in private with the troop- and police-contributing countries to the African Union-United Nations Hybrid Operation in Darfur.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Margaret Carey, Director of the Africa I Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Ms. Carey and representatives of participating troop- and police-contributing countries had an exchange of views."

K. United Nations Mission in South Sudan

Decision

At its 6797th meeting, held in private on 29 June 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 29 June 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6797th meeting, in private with the troop- and police-contributing countries to the United Nations Mission in South Sudan.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Hilde Johnson, Special Representative of the Secretary-General for South Sudan.
>
> "Members of the Council, Ms. Johnson and representatives of participating troop- and police-contributing countries had an exchange of views."

L. United Nations Supervision Mission in the Syrian Arab Republic

Decision

At its 6803rd meeting, held in private on 10 July 2012, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 July 2012, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6803rd meeting, in private with the troop-contributing countries to the United Nations Supervision Mission in the Syrian Arab Republic.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.
>
> "Members of the Council, Mr. Ladsous and representatives of participating troop-contributing countries had an exchange of views."

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[242]

Decisions

On 30 December 2011, the President of the Security Council addressed the following letter to the Secretary-General:[243]

> "I have the honour to inform you that your letter dated 28 December 2011 concerning your intention to extend the appointment of Mr. Mike Smith, of Australia, as Executive Director of the Counter-Terrorism Committee Executive Directorate until 31 December 2012[244] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6765th meeting, on 4 May 2012, the Council considered the item entitled:

"Threats to international peace and security caused by terrorist acts

> "Strengthening international cooperation in the implementation of counter-terrorism obligations
>
> "Letter dated 1 May 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General (S/2012/281)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[245]

> "The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.
>
> "The Council reiterates its strong and unequivocal condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, and stresses that any terrorist acts are criminal and unjustifiable regardless of their motivation.
>
> "The Council notes with concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of States, and undermines global stability and prosperity, and that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts, including those motivated by intolerance and extremism, and reaffirms its determination to combat by all means, in accordance with the Charter and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts.
>
> "The Council reaffirms that terrorism cannot and should not be associated with any religion, nationality or civilization.
>
> "The Council reiterates its concern at incidents of kidnapping and hostage-taking by terrorist groups with the aim of raising funds or gaining political concessions, notes an increase of such incidents in some areas of the world with a specific political context, and reiterates the need for this issue to be addressed.
>
> "The Council notes the changing nature and character of terrorism, with continuing terrorist attacks around the world, expresses its concern regarding the increasing connection, in many cases, between terrorism and transnational organized crime, and emphasizes the need to enhance the coordination of efforts at the national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international peace and security.

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[243] S/2011/813.

[244] S/2011/812.

[245] S/PRST/2012/17.

"The Council reiterates its concern at the increased use, in a globalized society, by terrorists of new information and communications technologies, in particular the Internet, for the purposes of recruitment and incitement as well as for the financing, planning and preparation of their activities.

"The Council recognizes the continuing need to take measures to prevent and suppress the financing of terrorism and terrorist organizations, reiterates the obligations of Member States in this regard, and acknowledges the important work of the United Nations entities and other multilateral organizations, in particular the Financial Action Task Force.

"The Council reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

"The Council expresses its profound solidarity with the victims of terrorism and their families, stresses the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief, recognizes the important role that victims and survivor networks play in countering terrorism, including by bravely speaking out against violent and extremist ideas, and in this regard welcomes and encourages the efforts and activities of Member States and the United Nations system, including the Counter-Terrorism Implementation Task Force, in this field.

"The Council reiterates the obligation of Member States to refrain from providing any form of support, active or passive, to entities or persons involved in or associated with terrorist acts, including by suppressing the recruitment of members of terrorist groups, consistent with international law, and eliminating the supply of weapons to terrorists.

"The Council recalls all of its resolutions and statements on terrorism, in particular resolutions 1267 (1999) and 1989 (2011), 1373 (2001), 1540 (2004) and 1624 (2005), as well as other applicable international counter-terrorism instruments, stresses the need for their full implementation, renews its call upon States to consider becoming parties as soon as possible to all relevant international conventions and protocols, and to fully implement their obligations under those to which they are parties, and recognizes Member States' continuing efforts to conclude negotiations on the draft comprehensive convention on international terrorism.

"The Council emphasizes that sanctions are an important tool under the Charter in the international fight against terrorism, and underlines the importance of prompt and effective implementation of relevant sanctions measures. The Council reiterates, in this context, its continued commitment to fair and clear procedures. The Council also welcomes the recent improvements to the procedures of its Committee pursuant to resolutions 1267 (1999) and 1989 (2011), in particular regarding the effective and valuable work of the Office of the Ombudsperson established pursuant to resolution 1904 (2009).

"The Council recognizes that the scourge of terrorism can only be defeated by a sustained and comprehensive approach involving active participation and collaboration of all States, and relevant international and regional organizations and civil society, and underlines the need to address the conditions conducive to the spread of terrorism, as outlined in the United Nations Global Counter-Terrorism Strategy.[246] The Council encourages Member States to develop comprehensive and integrated counter-terrorism strategies.

"The Council reaffirms that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law, underscores that effective counter-terrorism measures and respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing, and are an essential part of a successful counter-terrorism effort, and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism.

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[246] General Assembly resolution 60/288.

"The Council stresses the importance of respect and understanding for religious and cultural diversity throughout the world, emphasizes that continuing international efforts to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures can help to counter the forces that fuel polarization and extremism, and will contribute to strengthening the international fight against terrorism, and in this respect appreciates the positive role of the Alliance of Civilizations and other similar initiatives.

"The Council remains gravely concerned about the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use weapons of mass destruction and their means of delivery.

"The Council recognizes the urgent need for additional efforts to be made at the national, regional and international levels in order to prevent the illicit proliferation of all arms and related materiel of all types, including man-portable surface-to-air missiles, in some regions, and emphasizes that such proliferation could fuel terrorist activities.

"The Council stresses the importance of the continued implementation of the United Nations Global Counter-Terrorism Strategy in an integrated manner and in all its aspects, and looks forward to its third review by the General Assembly.

"The Council emphasizes the need for more enhanced cooperation and solidarity among Member States, particularly through bilateral and multilateral arrangements and agreements to prevent and suppress terrorist attacks, and reiterates its call upon Member States to strengthen cooperation at the international, regional and subregional levels, particularly through regional and subregional mechanisms and coordination and cooperation at the operational level.

"The Council stresses the importance of timely and accurate information-sharing concerning the prevention and combating of terrorism, and calls upon Member States to intensify their cooperation in this regard, including through mutual legal assistance and by enhancing coordination among competent authorities, also within regional and subregional frameworks, as appropriate.

"The Council notes with concern challenges to the capacity of some Member States in implementing the counter-terrorism and related resolutions of the Council and in this regard welcomes the counter-terrorism-related capacity-building assistance provided by the United Nations entities and subsidiary bodies and through bilateral assistance to Member States, and encourages further cooperation and reinforcing of assistance programmes to help States to prevent terrorist threats, including preventing terrorist groups from exploiting Member States' vulnerabilities.

"The Council stresses that capacity-building in all Member States is a core element of the global counter-terrorism efforts, and underlines in this regard the importance of strengthening cooperation among Member States and with United Nations entities and subsidiary bodies with a view to enhancing individual capabilities of Member States to effectively implement their counter-terrorism obligations, including through increased capacity-building and technical assistance programmes and support in developing an effective national rule of law-based criminal justice system, with provisions for judicial criminal cooperation regarding extradition and mutual legal assistance, in particular to expedite, simplify and give priority to extradition and mutual legal assistance requests.

"The Council welcomes all efforts aimed at enhancing the visibility of the United Nations counter-terrorism activities as well as ensuring greater cooperation, coordination and coherence among United Nations entities with a view to promoting transparency and avoiding duplication, takes note of the recommendation of the Secretary-General for Member States to consider appointing a United Nations Counter-Terrorism Coordinator, and in this regard looks forward to the discussions on this initiative, including within its deliberations on further improving cross-institutional coherence of the United Nations counter-terrorism efforts.

"The Council reiterates the need to enhance ongoing cooperation among the committees with counter-terrorism mandates established pursuant to resolutions 1267 (1999) and 1989 (2011), 1373 (2001) and 1540 (2004), and their respective groups of experts, and notes the importance of the ongoing interaction and dialogue of the committees with all Member States for their effective cooperation.

"The Council encourages relevant United Nations bodies, in particular the Counter-Terrorism Committee Executive Directorate, in close cooperation within the Counter-Terrorism Implementation Task Force, to focus increased attention on resolution 1624 (2005) in its dialogue with Member States to develop, in accordance with their obligations under international law, strategies which include countering incitement of terrorist acts motivated by extremism and intolerance and in facilitating technical assistance for its implementation.

"The Council expresses its support for the activities of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, and the full participation, within their mandates, of relevant Security Council subsidiary bodies in the work of the Task Force and its working groups, and welcomes the establishment of the United Nations Counter-Terrorism Centre in accordance with General Assembly resolution 66/10.

"The Council takes note of the recently launched Global Counterterrorism Forum and its early achievements, and encourages its continued close cooperation with the United Nations entities and subsidiary bodies."

BRIEFINGS BY CHAIRMEN OF SUBSIDIARY BODIES OF THE SECURITY COUNCIL[247]

Decisions

At its 6658th meeting, on 14 November 2011, the Security Council decided to invite the representatives of Cuba, Israel, Japan, New Zealand, Pakistan, Spain, Switzerland and the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ioannis Vrailas, Deputy Head of the Delegation of the European Union to the United Nations.

At its 6686th meeting, on 14 December 2011, the Council considered the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At its 6767th meeting, on 10 May 2012, the Council decided to invite the representatives of Armenia, Australia, Austria, Israel, Japan, Spain and the Syrian Arab Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

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[247] Resolutions or decisions on this question were first adopted by the Security Council in 2002.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

THE SITUATION IN CÔTE D'IVOIRE[247]

Decisions

In a letter dated 27 September 2011, the President of the Security Council informed the Secretary-General that the Council had approved the inter-mission cooperation arrangements between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia.[248]

In a letter dated 30 November 2011, the President of the Security Council informed the Secretary-General that the Council had approved the inter-mission cooperation arrangements between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia.[249]

At its 6708th meeting, on 26 January 2012, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Twenty-ninth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2011/807)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Albert Koenders, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.

On 28 March 2012, the President of the Security Council addressed the following letter to the Secretary-General:[250]

> "I have the honour to inform you that your letter dated 23 March 2012 concerning your intention to appoint Major General Muhammad Iqbal Asi, of Pakistan, as Force Commander of the United Nations Operation in Côte d'Ivoire[251] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6761st meeting, on 26 April 2012, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Letter dated 11 April 2012 from the Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2012/196)".

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[248] The letter, which was issued as a Security Council document under the symbol S/2011/594, has been reproduced on page 49 of the present volume.

[249] The letter, which was issued as a Security Council document under the symbol S/2011/747, has been reproduced on page 50 of the present volume.

[250] S/2012/184.

[251] S/2012/183.

Resolution 2045 (2012)
of 26 April 2012

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire, in particular resolutions 1880 (2009) of 30 July 2009, 1893 (2009) of 29 October 2009, 1911 (2010) of 28 January 2010, 1933 (2010) of 30 June 2010, 1946 (2010) of 15 October 2010, 1962 (2010) of 20 December 2010, 1975 (2011) of 30 March 2011, 1980 (2011) of 28 April 2011 and 2000 (2011) of 27 July 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the special report of the Secretary-General of 29 March 2012[252] and of the midterm report of 20 September 2011[253] and the final report of 16 March 2012[254] of the Group of Experts on Côte d'Ivoire,

Recognizing the continued contribution to stability in Côte d'Ivoire of the measures imposed by resolutions 1572 (2004) of 15 November 2004, 1643 (2005) of 15 December 2005, 1975 (2011) and 1980 (2011), and stressing that these measures aim at supporting the peace process in Côte d'Ivoire,

Welcoming the steady progress and achievements that Côte d'Ivoire has made in the past months in returning to stabilization, notably by holding parliamentary elections as certified by the Special Representative of the Secretary-General for Côte d'Ivoire, addressing immediate security challenges, advancing economic recovery and strengthening international and regional cooperation,

Acknowledging the efforts by all Ivorians to promote national reconciliation and the consolidation of peace through dialogue and consultation, encouraging the Dialogue, Truth and Reconciliation Commission to make further progress in this direction, and welcoming the assistance of the African Union and the Economic Community of West African States in this regard,

Remaining concerned about the unresolved challenges of security sector reform and disarmament, demobilization and reintegration, as well as the circulation of weapons, which continue to be significant risks to the stability of the country, and welcoming the creation of a disarmament, demobilization and reintegration and security sector reform working group by the Government of Côte d'Ivoire and other efforts to address seriously these challenges,

Welcoming the enhanced cooperation of the Government of Côte d'Ivoire with the Group of Experts, originally established pursuant to paragraph 7 of resolution 1584 (2005) of 1 February 2005, during the course of its last mandate, renewed by resolution 1980 (2011),

Acknowledging the urgent need for the Government of Côte d'Ivoire to train and equip its security forces, especially the police and gendarmerie, with standard policing weapons and ammunition,

Emphasizing the importance of the Government of Côte d'Ivoire being able to respond proportionately to threats to the security of all citizens in Côte d'Ivoire, and calling upon the Government to ensure that its security forces remain committed to upholding human rights and applicable international law,

Calling upon the Government of Côte d'Ivoire to ratify and implement the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials,

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[252] S/2012/186.

[253] See S/2011/642.

[254] See S/2012/196.

Expressing concern about the findings of the Group of Experts on the illegal taxation systems put in place, increasing criminality throughout the territory and the lack of capacity and resources available for the control of borders,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict and its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict,

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, condemning all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, stressing that the perpetrators must be brought to justice, whether in domestic or international courts, and welcoming the close cooperation of the Government of Côte d'Ivoire with the International Criminal Court in this regard,

Stressing the importance for the Group of Experts to be provided with sufficient resources for the implementation of its mandate,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the measures on arms and related materiel, previously imposed by paragraphs 7 and 8 of resolution 1572 (2004), are replaced by paragraphs 2, 3 and 4 below and shall no longer apply to the provision of training, advice and expertise related to security and military activities, as well as to supplies of civilian vehicles to the Ivorian security forces;

2. *Decides also*, for a period ending on 30 April 2013, that all States shall take the measures necessary to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, whether or not originating in their territories;

3. *Decides further* that the measures imposed by paragraph 2 above shall not apply to:

(*a*) Supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire and the French forces supporting it;

(*b*) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004);

(*c*) Supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(*d*) Supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee;

(*e*) Supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as notified in advance to the Committee;

(*f*) Supplies of arms and other related lethal equipment to the Ivorian security forces intended solely for the support of or use in the Ivorian process of security sector reform, as approved in advance by the Committee;

4. *Decides*, for the period referred to in paragraph 2 above, that the Ivorian authorities shall notify in advance to the Committee any shipment of items referred to in paragraph 3 (*e*) or shall request in advance to the Committee an approval for any shipment of items referred to in paragraph 3 (*f*) above, stresses the importance that such notifications or requests contain all relevant information, including the purpose of the use and the end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, the mode of transportation and the itinerary of shipments;

5. *Urges* the Government of Côte d'Ivoire to allow the Group of Experts on Côte d'Ivoire and the United Nations Operation in Côte d'Ivoire access to the exempted materiel at the time of import and before the transfer to the end user takes place, stresses that the Government shall mark the arms and related materiel when received in the territory of Côte d'Ivoire and maintain a registry of them, and expresses its willingness to consider an extension of the notification procedure to all embargo exemptions at the midterm review referred to in paragraph 7 below, in accordance with the progress achieved in relation to disarmament, demobilization and reintegration and security sector reform;

6. *Decides* to renew until 30 April 2013 the financial and travel measures imposed by paragraphs 9 to 12 of resolution 1572 (2004) and paragraph 12 of resolution 1975 (2011), and further decides to renew until 30 April 2013 the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire, imposed by paragraph 6 of resolution 1643 (2005);

7. *Decides also* to review the measures decided in paragraphs 2, 3 and 4 above, in the light of the progress achieved in stabilization throughout the country by the end of the period mentioned in paragraph 2 above, and decides further to carry out a midterm review of the measures decided in paragraphs 2, 3 and 4 above no later than 31 October 2012, with a view to possibly further modifying all or part of the remaining measures of the sanctions regime, in accordance with the progress achieved in relation to disarmament, demobilization and reintegration and security sector reform, national reconciliation and the fight against impunity;

8. *Calls upon* all Member States, in particular those in the subregion, to fully implement the measures mentioned in paragraphs 2 and 6 above, calls upon the United Nations Operation in Côte d'Ivoire to lend its full support, within its capacities and mandate, and calls upon the French forces to support the Operation in this regard, within the limits of their deployment and their capabilities;

9. *Urges* all illegal Ivorian armed combatants, including in neighbouring countries, to lay down their arms immediately, encourages the United Nations Operation in Côte d'Ivoire, within its mandate and the limits of its capabilities and its areas of deployment, to continue to assist the Government of Côte d'Ivoire in collecting and storing the arms and registering all relevant information related to those arms, and calls upon the Government, including the National Commission to Fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, to ensure that those arms are neutralized or are not illegally disseminated, in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials;

10. *Recalls* that the United Nations Operation in Côte d'Ivoire is mandated, within the monitoring of the arms embargo, to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004) as amended by paragraphs 1 and 2 above, and to dispose of such arms and related materiel as appropriate;

11. *Expresses its deep concern* about the presence of mercenaries in Côte d'Ivoire, notably from neighbouring countries, and calls upon the authorities of Côte d'Ivoire and Liberia to coordinate their action to solve this issue, encourages the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia, within their respective mandates, capabilities and areas of deployment, to continue to coordinate closely in assisting respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border, with particular attention to

any cross-border movement of combatants or transfer of arms, and welcomes further cooperation between the Group of Experts and the Panel of Experts on Liberia appointed pursuant to paragraph 5 of resolution 2025 (2011) of 14 December 2011;

12. *Reiterates* the necessity for the Ivorian authorities to provide unhindered access to the Group of Experts, as well as the United Nations Operation in Côte d'Ivoire and the French forces supporting it, to equipment, sites and installations referred to in paragraph 2 (*a*) of resolution 1584 (2005) of 1 February 2005, and to all weapons, ammunition and related materiel of all armed security forces, regardless of location, including the arms issued from the collection referred to in paragraph 9 above, when appropriate without notice, as set out in its resolutions 1739 (2007) of 10 January 2007, 1880 (2009), 1933 (2010), 1962 (2010) and 1980 (2011);

13. *Reiterates its commitment* to impose targeted measures as expressed in paragraph 10 of resolution 1980 (2011);

14. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary;

15. *Decides* to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) of 15 December 2006 until 30 April 2013, and requests the Secretary-General to take the measures necessary to support its action;

16. *Requests* the Group of Experts to submit a midterm report to the Committee by 15 October 2012 and to submit a final report, as well as recommendations, to the Security Council through the Committee fifteen days before the end of its mandated period, on the implementation of the measures imposed by paragraph 2 above, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005), paragraph 12 of resolution 1975 (2011) and paragraph 10 of resolution 1980 (2011);

17. *Decides* that the report of the Group of Experts, as referred to in paragraph 7 (*e*) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the possible additional designation by the Committee of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 10 of resolution 1980 (2011), and further recalls the report of the Informal Working Group of the Security Council on General Issues of Sanctions on best practices and methods,[255] including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms;

18. *Requests* the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

19. *Requests* the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

20. *Requests* the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution 1893 (2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process;

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[255] See S/2006/997, annex.

21. *Urges* the Ivorian authorities to create and implement an action plan to enforce the Kimberley Process rules in Côte d'Ivoire, and further encourages them to closely work with the Kimberley Process Certification Scheme[256] to conduct a review and assessment of Côte d'Ivoire's internal controls system for trade in rough diamonds and a comprehensive geologic study of Côte d'Ivoire's potential diamond resources and production capacity, with a view to possibly modifying or lifting, as appropriate, the measures imposed by paragraph 6 of resolution 1643 (2005);

22. *Calls upon* the Ivorian authorities to combat the illegal taxation systems that remain in place, to take the necessary steps to continue to re-establish and reinforce relevant institutions and to continue to deploy customs and border control officials throughout the country, in the north, west and east of the country, asks the Group of Experts to assess the effectiveness of these border measures and control in the region, encourages all neighbouring States to be aware of Ivorian efforts in that regard, and encourages the United Nations Operation in Côte d'Ivoire, within its mandate, to assist the Ivorian authorities in the re-establishment of normal customs and border control operation;

23. *Urges* all States, relevant United Nations bodies and other organizations and interested parties to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 2 and 5 above, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011), and further requests the Group of Experts to coordinate its activities, as appropriate, with all political actors;

24. *Recalls* paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011) regarding sexual and gender-based violence and children in armed conflict, and welcomes the information-sharing between the Committee and the Special Representatives of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict, in accordance with their respective mandates and as appropriate;

25. *Decides* that the Committee should update its guidelines, taking into account paragraphs 1 to 5 above, within three months of the date of adoption of the present resolution, in order to facilitate the implementation of the measures imposed by the present resolution, and keep them under active review as may be necessary;

26. *Urges*, in this context, that all Ivorian parties and all States, particularly those in the region, ensure:

- The safety of the members of the Group of Experts;
- Unhindered access by the Group of Experts, in particular to persons, documents and sites in order for the Group of Experts to execute its mandate;

27. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6761st meeting.

Decisions

In a letter dated 18 May 2012, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Liberia, Côte d'Ivoire and the Economic Community of West African States and Sierra Leone.[257]

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[256] See A/57/489.

[257] The letter, which was issued as a Security Council document under the symbol S/2012/344, has been reproduced on page 54 of the present volume. The mission took place from 18 to 24 May 2012.

At its 6808th meeting, on 18 July 2012, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Thirtieth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2012/506)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Albert Koenders, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.

At its 6817th meeting, on 26 July 2012, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Thirtieth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2012/506)".

Resolution 2062 (2012)
of 26 July 2012

The Security Council,

Recalling its previous resolutions, in particular resolutions 1933 (2010) of 30 June 2010, 1942 (2010) of 29 September 2010, 1951 (2010) of 24 November 2010, 1962 (2010) of 20 December 2010, 1967 (2011) of 19 January 2011, 1968 (2011) of 16 February 2011, 1975 (2011) of 30 March 2011, 1980 (2011) of 28 April 2011, 1981 (2011) of 13 May 2011, 1992 (2011) of 29 June 2011 and 2000 (2011) of 27 July 2011, and the statements by its President relating to the situation in Côte d'Ivoire, and its resolutions 2008 (2011) of 16 September 2011 and 2025 (2011) of 14 December 2011 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Welcoming the final report of the Secretary-General of 29 June 2012[258] and the special report of the Secretary-General of 29 March 2012,[259] including the recommendations of the assessment mission that deployed to Côte d'Ivoire from 6 to 17 February 2012,

Welcoming also the overall progress towards restoring security, peace and stability in Côte d'Ivoire, notably in Abidjan, commending President Alassane Ouattara's initiatives to promote stability, reconciliation and economic recovery in Côte d'Ivoire, and calling upon all the national stakeholders to work together in their efforts for the stabilization and reconstruction of the country,

Welcoming further the holding of the legislative elections and the inauguration of the elected National Assembly on 25 April 2012, and emphasizing that this step is important for the full restoration of constitutional order and the process of democratization of Côte d'Ivoire,

Reiterating its concern about the unresolved key challenges of disarmament, demobilization and reintegration and security sector reform as well as the continued circulation of weapons, which continue to be significant risks to the security of the country, particularly in western Côte d'Ivoire, and noting with interest the establishment of the interministerial working group on disarmament, demobilization and reintegration and security sector reform,

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[258] S/2012/506.

[259] S/2012/186.

Welcoming the return of the majority of persons displaced by the post-election crisis to their places of origin in Côte d'Ivoire as well as President Ouattara's calls upon refugees to return to the country, and strongly condemning all intimidation, threats and attacks committed against refugees and internally displaced persons in Côte d'Ivoire, including the attack against an internally displaced persons camp in Duékoué on 20 July 2012,

Expressing its concern about the continued reports of human rights abuses and violations of international humanitarian law, including against women and children, including reports of increased incidents of sexual violence, in particular those attributed to armed men, stressing the importance of investigating such alleged violations and abuses committed by all parties, irrespective of their status or political affiliation, including those that occurred throughout the post-election crisis, including extrajudicial killing, maiming, arbitrary arrest and abduction of civilians, enforced disappearances, acts of revenge, sexual and gender-based violence, including against children, and the alleged recruitment and use of children in the conflict throughout the country and particularly in Abidjan and western Côte d'Ivoire, reaffirming that those responsible for such violations must be held accountable, and noting President Ouattara's commitments in this regard,

Expressing its concern also about the continuing precarious security situation, particularly in western Côte d'Ivoire and along the borders, especially with Liberia, and recalling that the Government of Côte d'Ivoire bears primary responsibility for ensuring peace, stability and the protection of the civilian population in Côte d'Ivoire,

Reiterating its strong condemnation of the attack by armed elements on a patrol of the United Nations Operation in Côte d'Ivoire in the south-west of Côte d'Ivoire on 8 June 2012, in which seven peacekeepers and a number of other persons were killed, stressing that intentionally directing such attacks on United Nations peacekeepers can constitute a war crime under international law, and further calling upon the Government of Côte d'Ivoire to work with all relevant parties to identify and bring the perpetrators to justice, and welcoming the immediate steps taken by the Government of Côte d'Ivoire in coordination with the Government of Liberia to investigate those attacks,

Commending the contribution of troop- and police-contributing countries and donors to the United Nations Operation in Côte d'Ivoire, underlining the importance of providing police officers qualified with appropriate specialist and linguistic skills, commending the work of the Operation, under the leadership of the Special Representative of the Secretary-General for Côte d'Ivoire, for its continuing contribution to maintaining peace and stability in Côte d'Ivoire, and noting with satisfaction the increasing cooperation between the United Nations Mission in Liberia and the Operation, as well as between the Governments of Côte d'Ivoire and Liberia and other countries in the subregion, in coordinating security activities in the border areas in the subregion,

Commending also the African Union and the Economic Community of West African States for their efforts to consolidate peace and stability in Côte d'Ivoire, and encouraging them to continue to support the authorities in addressing key challenges, especially the underlying causes of the conflict, security challenges in the border area, including movements of armed elements and weapons, and promoting justice and national reconciliation,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict and its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, reiterating the vital role of women in conflict resolution and peacebuilding, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and their key role in re-establishing the fabric of societies recovering from conflict, and further reaffirming the importance of implementing the national action plan on resolution 1325 (2000), *Noting* that, on the basis of the declaration lodged by Côte d'Ivoire accepting the jurisdiction of the International Criminal Court, the Pre-Trial Chamber of the Court authorized the Prosecutor of the Court to open an investigation into crimes within the jurisdiction of the Court committed in Côte d'Ivoire since 28 November 2010, including war crimes and crimes against humanity, and the Pre-Trial Chamber later decided to expand the investigation by the Prosecutor to crimes committed in Côte d'Ivoire since 19 September 2002,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 31 July 2013 the mandate of the United Nations Operation in Côte d'Ivoire as set out in paragraphs 7 (*a*) to (*h*), (*j*), (*k*) and (*m*) of resolution 2000 (2011);

2. *Decides also* that the protection of civilians shall remain the priority for the United Nations Operation in Côte d'Ivoire, and decides further that the Operation shall put added focus on supporting the Government of Côte d'Ivoire on disarmament, demobilization and reintegration and security sector reform, in accordance with paragraphs 7 (*e*) and (*f*) of resolution 2000 (2011);

3. *Endorses* the recommendation of the Secretary-General for a reduction of the equivalent of one battalion as part of the military component of the United Nations Operation in Côte d'Ivoire, to be implemented as soon as practical, and decides, therefore, that the authorized strength of the military component shall be adjusted to 8,837 personnel, comprising 8,645 troops and staff officers and 192 military observers;

4. *Decides* that the authorized strength of the police component of the United Nations Operation in Côte d'Ivoire shall remain at 1,555 personnel, and decides further to maintain the 8 customs officers previously authorized;

5. *Reiterates* its continuing authorization to the United Nations Operation in Côte d'Ivoire to use all means necessary to carry out its mandate, within its capabilities and its areas of deployment, pursuant to resolutions 1933 (2010), 1962 (2010) and 2000 (2011);

6. *Encourages* the United Nations Operation in Côte d'Ivoire and the United Nations country team to reconfigure within their existing capacities and reinforce their field presence, in order to enhance their coordinated support to the local authorities throughout Côte d'Ivoire, in areas where civilians are at greater risk, particularly but not only in western Côte d'Ivoire;

7. *Urges* the Government of Côte d'Ivoire to develop and implement expeditiously a national disarmament, demobilization and reintegration programme, with clear and strict eligibility criteria, a new secure and transparent database and the creation of a central authority to oversee all disarmament, demobilization and reintegration aspects, and to find solutions for the sustained social and economic integration of former combatants, and further encourages the United Nations country team to facilitate the planning and the implementation of programmes which support this process, in consultation with the Government and in close collaboration with all international partners;

8. *Notes* President Alassane Ouattara's initiative to directly oversee the security sector reform, and urges the Government of Côte d'Ivoire to accelerate the development and implementation of a comprehensive security sector reform strategy, with a view to setting up inclusive and accountable security forces, with the support of the United Nations Operation in Côte d'Ivoire, consistent with its mandate in paragraph 7 (*f*) of resolution 2000 (2011), and other interested international partners, to take further steps to increase confidence within the respective security and law enforcement agencies and between them, and to restore State authority throughout the country;

9. *Reiterates its call* to the Government of Côte d'Ivoire and all international partners, including private companies, involved in assisting the Government in the security sector reform

process to comply with the provisions of resolution 2045 (2012) of 26 April 2012 and to coordinate their efforts with a view to promoting transparency and a clear division of labour among all international partners;

10. *Emphasizes* the urgent need for concrete measures to promote justice and reconciliation at all levels and on all sides, including through the active involvement of civil society groups, with the aim of addressing the underlying causes of the Côte d'Ivoire crises, encourages support for transitional justice mechanisms, including the Dialogue, Truth and Reconciliation Commission, to adopt a broad-based and comprehensive programme and to increase its activities at the local level throughout the country, further emphasizes the importance of accountability and impartial justice, including through the work of the National Commission of Inquiry, to lasting reconciliation in Côte d'Ivoire, welcomes the adoption of a national justice sector strategy by the Government of Côte d'Ivoire, and urges the Government to take concrete steps to prevent and respond to intercommunal violence by seeking a broad national consensus on how to address identity and land tenure issues;

11. *Welcomes* the initiative taken by the Government of Côte d'Ivoire to enhance political dialogue with the political opposition, including extra-parliamentary political parties, calls upon the Government to continue to step up concrete measures in this regard and ensure political space for the opposition, further calls upon all opposition parties to play a constructive role and contribute towards reconciliation, and requests the Special Representative of the Secretary-General for Côte d'Ivoire to continue to use his good offices role to facilitate dialogue between all political stakeholders;

12. *Urges* the Government of Côte d'Ivoire to ensure in the shortest possible time frame that, irrespective of their status or political affiliation, all those responsible for serious abuses of human rights and violations of international humanitarian law, notably those committed during the post-election crisis in Côte d'Ivoire, are brought to justice in accordance with its international obligations and that all detainees receive clarity about their status in a transparent manner, and further encourages the Government to continue its cooperation with the International Criminal Court;

13. *Calls upon* the United Nations Operation in Côte d'Ivoire, where consistent with its authorities and responsibilities, to continue to support national and international efforts to bring to justice perpetrators of grave abuses of human rights and violations of international humanitarian law in Côte d'Ivoire, irrespective of their status or political affiliation;

14. *Decides* to extend until 31 July 2013 the authorization that the Security Council provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

15. *Urges* all parties to cooperate fully with the operations of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, in particular by ensuring their safety, security and freedom of movement with unhindered and immediate access throughout the territory of Côte d'Ivoire to enable them to fully carry out their mandates;

16. *Calls upon* the Government of Côte d'Ivoire and all political stakeholders to ensure that the upcoming local elections are conducted in an open, free, fair, peaceful and transparent manner and contribute to fostering political inclusiveness and reconciliation, considering proper timing, security conditions and relevant electoral reform, stresses that the Government bears the primary responsibility for the organization of such local elections, and in this context notes the request addressed by the Government to the United Nations[260] and authorizes the United Nations Operation in Côte d'Ivoire to assist, as appropriate, the Government in the holding of such

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[260] See S/2012/430, annex.

elections, upon request, within its existing resources, capacities and areas of deployment and without prejudice to the core priorities of the mandate as set out in paragraph 2 above;

17. *Welcomes* continued cooperation between and the conduct of joint activities by the United Nations Operation in Côte d'Ivoire and the Republican Forces of Côte d'Ivoire and calls for strict adherence by the Republican Forces to international humanitarian, human rights and refugee laws, and in this context recalls the importance of training in human rights, child protection and sexual and gender-based violence for security and law enforcement agencies;

18. *Calls upon* the Governments of Côte d'Ivoire and Liberia to continue to enhance their cooperation, particularly with respect to the border area, including through increasing monitoring, information-sharing and conducting coordinated actions, and in developing and implementing a shared border strategy to, inter alia, support the disarmament and repatriation of foreign armed elements on both sides of the border and the repatriation of refugees;

19. *Calls upon* all United Nations bodies in Côte d'Ivoire and Liberia, including all components of the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia, within their respective mandates, capabilities and areas of deployment, to enhance their support for the stabilization of the border area, including through their increased cooperation and the development of a shared strategic vision and plan in support of the Ivorian and Liberian authorities;

20. *Encourages* the Economic Community of West African States and the Mano River Union to continue to develop, with the support of the United Nations Office for West Africa, a subregional strategy to address the threat of the cross-border movements of armed groups and weapons as well as illicit trafficking, with the assistance of the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia, as appropriate, and provide regular updates on progress towards the development of such a subregional strategy in the upcoming relevant reports of the Secretary-General;

21. *Endorses*, with immediate effect, the recommendation of the Secretary-General to transfer the 3 armed helicopters, currently deployed in the United Nations Mission in Liberia, to the United Nations Operation in Côte d'Ivoire, to be used in both Côte d'Ivoire and Liberia along and across their border;

22. *Requests* the Secretary-General to undertake an assessment of the situation in Côte d'Ivoire with a view to submitting to the Council, no later than 31 March 2013, a special report containing (i) benchmarks to measure and track progress towards the achievement of long-term stability in Côte d'Ivoire and to prepare the transition planning; (ii) recommendations on possible adjustments in the structure and strength of the United Nations Operation in Côte d'Ivoire, in particular its military and police components, based on the prevailing situation on the ground and threats to Côte d'Ivoire's sustainable peace and stability and the capacity of Ivorian institutions to effectively meet such challenges; (iii) options to reinforce inter-mission cooperation arrangements between the Operation and the United Nations Mission in Liberia, including for the conduct of coordinated and joint operations along and across the border, to be determined in close consultation with relevant stakeholders, including the Governments of Côte d'Ivoire and Liberia, the Mission and troop- and police-contributing countries; and (iv) a report on the implementation of the Operation's protection of civilians strategy;

23. *Also requests* the Secretary-General to provide to the Council a midterm report no later than 31 December 2012 and a final report no later than 30 June 2013 on the situation on the ground and the implementation of the present resolution;

24. *Decides* to remain seized of the matter.

Adopted unanimously at the 6817th meeting.

SECURITY COUNCIL MISSION[261]

Decisions

In a letter dated 8 February 2012, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Haiti.[262]

At its 6724th meeting, on 28 February 2012, the Council decided to invite the representative of Haiti to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Security Council mission

"Briefing by the Security Council mission to Haiti (13 to 16 February 2012)".

In a letter dated 18 May 2012, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Liberia, Côte d'Ivoire and the Economic Community of West African States and Sierra Leone.[263]

At its 6777th meeting, on 31 May 2012, the Council considered the item entitled:

"Security Council mission

"Briefing by the Security Council mission to West Africa (18 to 24 May 2012)".

THE PROMOTION AND STRENGTHENING OF THE RULE OF LAW IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY[264]

Decisions

At its 6705th meeting, on 19 January 2012, the Security Council decided to invite the representatives of Argentina, Armenia, Australia, Austria, Bangladesh, Brazil, Chile, Costa Rica, Denmark, Estonia, Ethiopia, Finland, Iran (Islamic Republic of), Japan, Kyrgyzstan, Liechtenstein, Luxembourg, Mauritius, Mexico, Nepal, Norway, Peru, the Philippines, Solomon Islands, Sri Lanka and Switzerland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The promotion and strengthening of the rule of law in the maintenance of international peace and security

"Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies (S/2011/634)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

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[261] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

[262] The letter, which was issued as a Security Council document under the symbol S/2012/82, has been reproduced on page 112 of the present volume. The mission took place from 13 to 16 February 2012.

[263] The letter, which was issued as a Security Council document under the symbol S/2012/344, has been reproduced on page 54 of the present volume. The mission took place from 18 to 24 May 2012.

[264] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[265]

> "The Security Council recognizes the need for universal adherence to and implementation of the rule of law and emphasizes the vital importance it attaches to promoting justice and the rule of law as an indispensable element for peaceful coexistence and the prevention of armed conflict.
>
> "The Council reaffirms its commitment to international law and the Charter of the United Nations and to an international order based on the rule of law and international law, which are essential for cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security.
>
> "The Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work. To this end the Council calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.
>
> "The Council reiterates its concern over the devastation and suffering caused by armed conflict and emphasizes the need to prevent conflict and, where conflict has already broken out, to restore peace and security. The Council acknowledges that political will and the concerted efforts of both national Governments and the international community are critical to preventing conflict and achieving success in the restoration of and respect for the rule of law.
>
> "The Council reiterates its concern about the situation of the most vulnerable in societies affected by armed conflict, including women and children as well as other vulnerable groups and displaced persons. The Council expresses particular concern about sexual and gender-based violence in conflict situations and recalls in this regard resolution 1325 (2000) and other relevant resolutions.
>
> "The Council reaffirms that sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, and rule of law and justice activities. In this regard the Council emphasizes the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding.
>
> "The Council recognizes the importance of national ownership in rule of law assistance activities, strengthening justice and security institutions that are accessible and responsive to citizens' needs and which promote social cohesion and economic prosperity. In this regard, the Council takes note of the initiatives being taken by some conflict-affected countries to help to ensure national ownership in rule of law assistance activities and improve the quality of support to those countries.
>
> "The Council recognizes the need for enhanced efforts aimed at capacity-building in justice and security institutions, especially in the police, prosecutorial, judicial and corrections sectors. In this regard, the Council notes the need for increased efforts to ensure that conflict-affected countries are able to access a broad range of relevant expertise, in particular from developing countries, in order to effectively build the capacity of justice and security institutions.
>
> "The Council welcomes efforts by the Rule of Law Unit and the Rule of Law Coordination and Resource Group within existing mandates and encourages further efforts to ensure greater coordination and coherence in rule of law activities in conflict-affected societies. To this end the Council requests that the Secretary-General continue his efforts to

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[265] S/PRST/2012/1.

further clarify roles and responsibilities within the United Nations system for specific rule of law activities, based on assessments of the respective strengths and capacities of agencies, to ensure more effective delivery of support to conflict-affected countries.

"The Council notes with concern that transnational organized crime and drug trafficking can pose serious threats to international security in different regions of the world, notes also that these transnational crimes may threaten the security of countries on its agenda, including post-conflict States, encourages the coordination of United Nations actions as well as actions by Member States in fighting these threats through the implementation of national and international applicable norms, relevant international long-term capacity-building efforts and regional initiatives.

"The Council reiterates its call upon all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and to take all steps required to protect civilians and recalls in this regard resolution 1894 (2009).

"The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

"The Council recalls the statement by its President of 29 June 2010,[266] which included the contribution of the International Criminal Court, ad hoc and mixed tribunals, as well as chambers in national tribunals to the fight against impunity for the most serious crimes of concern to the international community. In this regard, the Council reiterates its previous call on the importance of State cooperation with these courts and tribunals in accordance with the respective obligations of States.

"The Council reaffirms that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including hostage-taking, negatively affects the rule of law, and recalls its decision, contained in resolution 2015 (2011), to continue consideration, as a matter of urgency, without prejudice to any further steps to ensure that pirates are held accountable, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support.

"The Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and are implemented by Member States. The Council remains committed to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions.

"The Council looks forward to the high-level meeting of the General Assembly on the rule of law at the national and international levels, to be held on 24 September 2012, and notes with appreciation the intention to extend an invitation to the President of the Council to participate in the event.

"The Council requests the Secretary-General to provide a follow-up report within 12 months to consider the effectiveness of the support by the United Nations system to the promotion of the rule of law in conflict and post-conflict situations."

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[266] S/PRST/2010/11.

CENTRAL AFRICAN REGION[267]

Decisions

At its 6601st meeting, on 18 August 2011, the Security Council considered the item entitled "Central African region".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Abou Moussa, Special Representative of the Secretary-General for Central Africa and Head of the United Nations Regional Office for Central Africa.

At its 6657th meeting, on 14 November 2011, the Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Central African region

> "Report of the Secretary-General on the Lord's Resistance Army-affected areas pursuant to Security Council press statement (S/2011/693)
>
> "First report of the Secretary-General on the activities of the United Nations Regional Office for Central Africa (S/2011/704)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Abou Moussa, Special Representative of the Secretary-General for Central Africa and Head of the United Nations Regional Office for Central Africa.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Téte António, Permanent Observer of the African Union to the United Nations, and General Louis Sylvain-Goma, Secretary-General of the Economic Community of Central African States.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[268]

> "The Security Council strongly condemns the ongoing attacks carried out by the Lord's Resistance Army in parts of Central Africa, which pose a continuing threat to regional security. The Council reiterates its grave concern at the atrocities committed by the Lord's Resistance Army, which have serious humanitarian and human rights consequences, including the displacement of over 440,000 people across the region. The Council remains deeply concerned that its previous calls for the Lord's Resistance Army to cease its attacks have not been heeded.
>
> "The Council strongly condemns the continued violations of international humanitarian law and the abuses of human rights by the Lord's Resistance Army. The Council condemns further the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence, and abductions. The Council demands an immediate end to all attacks by the Lord's Resistance Army, particularly those on civilians, urges Lord's Resistance Army leaders to release all those abducted, and insists that all Lord's Resistance Army elements put an end to such practices, and surrender and disarm.
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> "The Council encourages the remaining Lord's Resistance Army fighters to leave the group's ranks and take advantage of offers of reintegration support. Over the course of the

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[267] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

[268] S/PRST/2011/21.

existence of the Lord's Resistance Army, more than 12,000 combatants and abductees have left the ranks of the Lord's Resistance Army and have been integrated and reunited with their families through Uganda's Amnesty Commission. The Council emphasizes its support for continued efforts across the affected countries to disarm, demobilize and reintegrate former Lord's Resistance Army fighters back into normal life, and notes the recent successful escape of 30 women and children from two Lord's Resistance Army groups on the border between South Sudan and the Democratic Republic of the Congo. The Council acknowledges the important ongoing efforts of the disarmament, demobilization, repatriation, reintegration and resettlement office of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to encourage and facilitate further Lord's Resistance Army defections, and requests that the United Nations work with regional Governments to expand these efforts across the Lord's Resistance Army-affected region.

"The Council commends the important efforts undertaken by the militaries of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to address the threat posed by the Lord's Resistance Army, and urges those militaries to coordinate and concert their efforts to apprehend Mr. Joseph Kony and top Lord's Resistance Army commanders in the coming months and bring them to justice. The Council recognizes the challenges that the Governments in the region face, and welcomes efforts by the international community, in coordination with the African Union and the United Nations, to enhance the capacity of regional militaries to conduct effective operations against top Lord's Resistance Army commanders and better protect civilians; it notes, for example, the efforts of the United States of America to work with regional militaries. The Council underlines the need for all action against the Lord's Resistance Army to be conducted in compliance with applicable international humanitarian, human rights and refugee law.

"The Council commends the enhanced engagement of the African Union on this issue through its regional cooperation initiative for the elimination of the Lord's Resistance Army, and its efforts to establish a Regional Intervention Force, a Joint Operations Centre and a Joint Coordination Mechanism. The Council further commends the support provided by the Secretary-General to the African Union Commission through the planning process and encourages the African Union to promote coordination on Lord's Resistance Army issues by sharing its counter-Lord's Resistance Army plans at the earliest opportunity. The Council urges the prompt appointment of the proposed African Union Special Envoy for the Lord's Resistance Army-affected areas, and expresses hope that this official will work quickly to solidify cooperation between regional Governments and promote a regional framework for the defection, disarmament, demobilization and reintegration of Lord's Resistance Army fighters.

"The Council underlines the primary responsibility of States in the Lord's Resistance Army-affected region to protect civilians and calls upon them to take all appropriate measures in this regard. The Council notes at the same time the important role being played by United Nations missions in the region, particularly through the adoption of protection measures such as community liaison, and stresses the need for them to play a major role in the coordination among all those engaged in addressing the threat posed by the Lord's Resistance Army. The Council requests that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Mission in South Sudan seek, within their mandates and capabilities, to increase protection activities in Lord's Resistance Army-affected areas over the coming months, with a particular focus on the communities which are most vulnerable. The Council also welcomes the increased focus of the United Nations Integrated Peacebuilding Office in the Central African Republic on Lord's Resistance Army issues in the Central African Republic and encourages further action by the United Nations to address the needs of Lord's Resistance Army-affected communities in the Central African Republic. The Council encourages all United Nations offices and missions in the Lord's Resistance Army-affected region to continue to enhance information-sharing and coordination with all relevant actors, and welcomes the preparation of a regional human rights report on the Lord's Resistance Army.

"The Council commends efforts by the European Union, the United States and other donors to provide humanitarian assistance to Lord's Resistance Army-affected populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan. The Council stresses the need for an enhanced, comprehensive and more regional approach to the humanitarian situation, including assistance to victims of sexual violence and other attacks, and reiterates the requirement for all parties to promote and ensure safe and unhindered access for humanitarian organizations to the civilian population. The Council calls upon the international community to provide support to capacity-building, good governance and humanitarian efforts in Lord's Resistance Army-affected areas.

"The Council welcomes the report of the Secretary-General on the Lord's Resistance Army,[269] and commends the efforts made by the United Nations Regional Office for Central Africa, in coordination with the United Nations Office to the African Union, to engage with the United Nations missions in the Lord's Resistance Army-affected region, the African Union and affected Central African States to facilitate cooperation on issues related to countering the threat posed by the Lord's Resistance Army. The Council encourages the Regional Office to work with the United Nations missions and the African Union to develop a regional strategy for international humanitarian, development and peacebuilding assistance in the Lord's Resistance Army-affected area, enhancing cross-border mechanisms to improve civilian protection, early warning capacity, humanitarian access and response, and appropriate reintegration support for those returning from displacement, abductees and ex-combatants, as well as strengthening the overall capacity of affected States to extend their authority throughout their respective territories.

"The Council recalls the arrest warrants issued by the International Criminal Court for three remaining Lord's Resistance Army leaders on charges of, among other things, war crimes and crimes against humanity, including murder, rape and the enlistment of children through abduction, and encourages all States to cooperate with the Ugandan authorities and the Court in order to implement those warrants and to bring to justice those responsible for the atrocities. The Council recalls the statement by its President of 22 June 2006[270] and reaffirms the vital importance of promoting justice and the rule of law, including respect for human rights, as an indispensible element for lasting peace.

"The Council requests that the Secretary-General keep it informed on developments in relation to the Lord's Resistance Army, including through a single report on both the United Nations Regional Office for Central Africa and the Lord's Resistance Army, to be submitted before 31 May 2012, identifying opportunities for improved information-sharing between the African Union, Lord's Resistance Army-affected States and United Nations missions, and outlining the role of the Regional Office in coordinating activity against the Lord's Resistance Army."

At its 6796th meeting, on 29 June 2012, the Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Central African region

> "Report of the Secretary-General on the situation of children and armed conflict affected by the Lord's Resistance Army (S/2012/365)
>
> "Report of the Secretary-General on the activities of the United Nations Regional Office for Central Africa and on the Lord's Resistance Army-affected areas (S/2012/421)".

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[269] S/2011/693.

[270] S/PRST/2006/28.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Abou Moussa, Special Representative of the Secretary-General for Central Africa and Head of the United Nations Regional Office for Central Africa.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Francisco Caetano José Madeira, Special Envoy of the Chairperson of the African Union Commission on Lord's Resistance Army Issues.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[271]

> "The Security Council strongly condemns the ongoing attacks carried out by the Lord's Resistance Army in parts of Central Africa, which pose a continuing threat to regional security. The Council reiterates its grave concern at the atrocities committed by the Lord's Resistance Army, which have serious humanitarian and human rights consequences, including the displacement of over 445,000 people across the region.
>
> "The Council strongly condemns the continued violations of international humanitarian law and the abuses of human rights by the Lord's Resistance Army. The Council condemns further the recruitment and use of children, killing and maiming, rape, sexual slavery and other sexual violence, and abductions. The Council demands an immediate end to all attacks by the Lord's Resistance Army, particularly those on civilians, urges Lord's Resistance Army leaders to release all those abducted, and insists that all Lord's Resistance Army elements put an end to such practices and disarm and demobilize.
>
> "The Council welcomes the development of the regional strategy to address the threat and impact of the activities of the Lord's Resistance Army[272] and takes note of the five strategic areas of intervention identified in the strategy, developed in close collaboration with the African Union, United Nations missions and country teams in the Lord's Resistance Army-affected areas and affected Central African States. The Council urges the United Nations Regional Office for Central Africa, the United Nations political and peacekeeping missions in the region and other relevant United Nations presences to support the implementation of the strategy, as appropriate and within the limits of their mandates and capacities, and calls upon the international community to provide assistance, as possible, to advance these strategic goals.
>
> "The Council welcomes the strong collaboration between the United Nations and the African Union in addressing the Lord's Resistance Army threat and encourages its continuation. The Council encourages the Special Envoy of the Chairperson of the African Union Commission on Lord's Resistance Army Issues, Mr. Francisco Caetano José Madeira, and the Special Representative of the Secretary-General for Central Africa and Head of the United Nations Regional Office for Central Africa, Mr. Abou Moussa, to continue to work together with the Governments of the region to strengthen further their cooperation.
>
> "The Council commends the continued efforts undertaken by the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to apprehend top Lord's Resistance Army commanders and to protect civilians from the Lord's Resistance Army threat. The Council welcomes the capture of the senior Lord's Resistance Army commander Mr. Caesar Acellam by the Uganda People's Defence Force on 13 May 2012.

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[271] S/PRST/2012/18.

[272] S/2012/481, annex.

"The Council welcomes the official launching on 24 March 2012 of the African Union-led Regional Cooperation Initiative against the Lord's Resistance Army, including a Joint Coordination Mechanism, a Regional Task Force and a Joint Operations Centre. The Council encourages all Governments in the region, working through the Initiative, to renew and strengthen their collaboration to end the Lord's Resistance Army threat. The Council also calls upon the African Union, the Lord's Resistance Army-affected States and the international community to work together to secure the necessary resources for successful implementation. The Council welcomes the ongoing efforts of the African Union to increase tactical coordination, information-sharing and joint planning between the relevant militaries through the Regional Task Force, based in Yambio, South Sudan.

"The Council underlines the primary responsibility of States in the Lord's Resistance Army-affected region to protect civilians and calls upon them to take all appropriate measures in this regard. The Council notes the important role being played by United Nations peacekeeping missions in the region in protecting civilians and stresses the need for continued coordination and information-sharing between these missions. The Council stresses the importance of coordination among humanitarian, development, gender, child protection, peacekeeping and military actors in the region. The Council recognizes the challenges that the Governments in the region face and urges the international community, in coordination with the African Union and the United Nations, to continue to strengthen the operational capabilities of countries participating in the Regional Task Force initiative in order to conduct effective operations against the Lord's Resistance Army and better protect civilians. The Council underlines the need for all military action against the Lord's Resistance Army to be conducted in compliance with applicable international law, including international humanitarian, human rights and refugee law, and to minimize the risk of harm to civilians in those areas.

"The Council encourages the remaining Lord's Resistance Army fighters to leave the group's ranks and participate in the disarmament, demobilization, repatriation, resettlement and reintegration process. The Council emphasizes its support for continued efforts across the affected countries to disarm, demobilize and reintegrate former Lord's Resistance Army fighters back into normal life. The Council acknowledges the important ongoing efforts under the disarmament, demobilization, repatriation, resettlement and reintegration programme of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to encourage and facilitate further Lord's Resistance Army defections. The Council urges the Mission to continue to work with the United Nations Integrated Peacebuilding Office in the Central African Republic, the United Nations Mission in South Sudan and other United Nations actors in the Lord's Resistance Army-affected region to help to implement a coordinated region-wide effort to promote defections and support the disarmament, demobilization, repatriation, resettlement and reintegration efforts across the Lord's Resistance Army-affected area. The Council calls upon international partners to provide strategic support.

"The Council recalls the arrest warrants issued by the International Criminal Court for Mr. Joseph Kony and two other senior Lord's Resistance Army leaders on charges of, inter alia, war crimes and crimes against humanity, including murder, rape and the enlistment of children through abduction, and calls upon all States to cooperate with the Ugandan authorities and the Court in order to implement those warrants and to bring to justice those responsible for the atrocities. The Council recalls the statement by its President of 22 June 2006[270] and reaffirms the vital importance of promoting justice and the rule of law, including respect for human rights, as an indispensable element for lasting peace.

"The Council commends efforts by international donors to provide humanitarian assistance to Lord's Resistance Army-affected populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan. The Council reiterates the need for an enhanced, comprehensive and more regional approach to the humanitarian situation, including assistance to victims of sexual violence and other attacks, and reaffirms the requirement for all parties to promote and ensure safe and unhindered access for humanitarian organizations to the civilian population, in accordance with international law, including applicable international humanitarian law, and guiding principles of humanitarian assistance.

"The Council requests that the Secretary-General keep it informed of the activities of the United Nations Regional Office for Central Africa, the progress of implementation of the regional strategy and the efforts being undertaken respectively by missions in the region and other relevant United Nations agencies to that end, including through a single report on the Regional Office and the Lord's Resistance Army, to be submitted before 30 November 2012."

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION[273]

Decision

At its 6795th meeting, on 29 June 2012, the Security Council considered the item entitled "Non-proliferation of weapons of mass destruction".

Resolution 2055 (2012)
of 29 June 2012

The Security Council,

Reaffirming its resolutions 1540 (2004) of 28 April 2004, 1673 (2006) of 27 April 2006, 1810 (2008) of 25 April 2008 and 1977 (2011) of 20 April 2011,

Recalling its decision, in paragraph 2 of resolution 1977 (2011), to extend the mandate of the Security Council Committee established pursuant to resolution 1540 (2004) until 25 April 2021,

Emphasizing the significantly increased workload of the Committee over the course of its mandate,

Recalling, in that regard, its decision, in paragraph 5 of resolution 1977 (2011), to continue to provide the Committee with the assistance of experts,

Requests the Secretary-General to increase the size of the group of experts referred to in paragraph 5 (*a*) of resolution 1977 (2011) to up to nine experts.

Adopted unanimously at the 6795th meeting.

REPORTS OF THE SECRETARY-GENERAL ON THE SUDAN[273]

Decisions

On 9 August 2011, the President of the Security Council addressed the following letter to the Secretary-General:[274]

> "I have the honour to inform you that your letter dated 5 August 2011 concerning your intention to request the United Nations Interim Security Force for Abyei to undertake a reconnaissance mission along the border between the Sudan and South Sudan as soon as possible[275] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[273] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[274] S/2011/511.

[275] S/2011/510.

At its 6628th meeting, on 6 October 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the situation in Abyei (S/2011/603)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At its 6638th meeting, on 25 October 2011, the Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2011/643)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At its 6656th meeting, on 11 November 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, and Ms. Hilde Johnson, Special Representative of the Secretary-General for South Sudan and Head of the United Nations Mission in South Sudan.

At its 6660th meeting, on 15 November 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on South Sudan (S/2011/678)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, and Ms. Hilde Johnson, Special Representative of the Secretary-General for South Sudan and Head of the United Nations Mission in South Sudan.

At its 6679th meeting, on 8 December 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the situation in Abyei (S/2011/741)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At its 6683rd meeting, on 14 December 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the situation in Abyei (S/2011/741)".

Resolution 2024 (2011)
of 14 December 2011

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in the Sudan and South Sudan, including resolution 1990 (2011) of 27 June 2011, by which the Security Council established the United Nations Interim Security Force for Abyei,

Reaffirming its commitment to the principles of sovereignty and territorial integrity and to peace, stability and security throughout the region,

Commending the assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay,

Welcoming the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism of 29 June 2011, taking note of the commitment in paragraph 2 to create a Safe Demilitarized Border Zone, and further taking note of the request for assistance from the United Nations to provide external support for monitoring and verification in the Safe Demilitarized Border Zone,

Welcoming also the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011,[276] which elaborates on the establishment of the Joint Border Verification and Monitoring Mechanism with an area of responsibility corresponding to the Safe Demilitarized Border Zone, and the Joint Political and Security Mechanism, and taking note of the request by the parties for the assistance of the United Nations to support the operational activities of the Joint Border Verification and Monitoring Mechanism,

Underlining the importance of building mutual trust, confidence and an environment which encourages long-term stability and economic development,

Recognizing the urgent need for the Sudan and South Sudan to commence the process of border normalization, and recognizing further that the situation along the border between the Sudan and South Sudan constitutes a threat to international peace and security,

1. *Decides* that, in addition to the tasks set out in paragraph 2 of resolution 1990 (2011), the mandate of the United Nations Interim Security Force for Abyei shall include the following additional tasks in support of the Joint Border Verification and Monitoring Mechanism; these additional tasks shall be carried out by the Force within its authorized capabilities and within an operational area expanded to include the Safe Demilitarized Border Zone, the Joint Border Verification and Monitoring Mechanism headquarters, sector headquarters and team sites:

(*a*) Assist the parties in ensuring the observance within the Safe Demilitarized Border Zone of the security commitments agreed upon by them in the above-mentioned Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and Agreement on the Border Monitoring Support Mission of 30 July 2011;[276]

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[276] Ibid., annex.

(*b*) Support the operational activities of the Joint Border Verification and Monitoring Mechanism, including its sectors and teams, in undertaking verifications, investigations, monitoring, arbitrations, liaison coordinating, reporting, information exchange and patrols, and by providing security, as appropriate;

(*c*) Assist and advise the Joint Border Verification and Monitoring Mechanism in its overall coordination of planning monitoring and verification of the implementation of the Joint Position Paper on Border Security of 30 May 2011;

(*d*) Assist the Joint Border Verification and Monitoring Mechanism to maintain the necessary chart, geographical and mapping references, which shall be used for the purpose of monitoring the implementation of paragraph 2 of the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011;

(*e*) Facilitate liaison between the parties;

(*f*) Support the parties, when requested, in developing effective bilateral management mechanisms along the border;

(*g*) Assist in building mutual trust;

2. *Requests* the Governments of South Sudan and the Sudan to implement fully their commitments under the above-referenced Agreements of 29 June and 30 July 2011;

3. *Calls upon* all Member States, in particular the Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and throughout the Safe Demilitarized Border Zone of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, which are for the exclusive and official use of the Force;

4. *Urges* the Government of the Sudan and the Government of South Sudan to cooperate fully with each other and to provide full support to the Force, enabling it to implement fully its mandate;

5. *Requests* the Secretary-General to keep the Security Council informed of progress in implementing the additional tasks listed in paragraph 1 of the present resolution in his regular reports to the Council on the implementation of the mandate of the Force, to bring to the Council's immediate attention any serious violations of the above-referenced agreements, and to look for and implement ways to strengthen inter-mission cooperation within the region;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 6683rd meeting.

Decisions

At its 6688th meeting, on 15 December 2011, the Security Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6689th meeting, held in private on 15 December 2011, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6689th meeting, held in private on 15 December 2011, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.

"Pursuant to the decision taken at the 6688th meeting, the President recognized the presence at the Council table of the representative of the Sudan, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The President, with the consent of the Council, invited the representatives of Argentina, Australia, Austria, Belgium, Cyprus, the Czech Republic, Denmark, Hungary, Israel, Italy, Japan, Liechtenstein, Malaysia, Norway, Poland, Qatar, Spain, Swaziland and Switzerland, at their request, to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure of the Council.

"Pursuant to the decision taken at the 6688th meeting, the President recognized the presence at the Council table of Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court, in accordance with rule 39 of the provisional rules of procedure of the Council.

"The members of the Council and Mr. Moreno-Ocampo had an exchange of views."

At its 6699th meeting, on 22 December 2011, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the situation in Abyei (S/2011/741)".

Resolution 2032 (2011)
of 22 December 2011

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in the Sudan and South Sudan, in particular resolutions 1990 (2011) of 27 June 2011 and 2024 (2011) of 14 December 2011,

Reaffirming its commitment to the principles of sovereignty and territorial integrity and to peace, stability and security throughout the region,

Affirming the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement of 9 January 2005,[277]

Reaffirming its previous resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security,

Recalling the commitments made by the Government of the Sudan and the Government of South Sudan in the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011,[278] the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security

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[277] S/2005/78, annex.

[278] S/2011/384, annex.

Mechanism of 29 June 2011 and the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011,[276]

Welcoming the meeting of the Presidents of the Sudan and South Sudan of 9 October 2011, and the intentions they expressed to resolve their disputes by peaceful means,

Stressing that both countries will have much to gain if they show restraint and choose the path of dialogue instead of resorting to violence or provocations,

Commending the continued assistance provided to the parties by the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, the Prime Minister of Ethiopia, Mr. Meles Zenawi, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the Head of Mission for the United Nations Interim Security Force for Abyei, Lieutenant General Tadesse Werede Tesfay,

Noting the continued readiness of the United Nations and the international community to assist the parties in establishing and implementing mutual security arrangements in support of the objectives of the Comprehensive Peace Agreement,

Commending the rapid deployment of the Force to the Abyei Area and the efforts of the United Nations and the Government of Ethiopia in that regard,

Urging the Government of the Sudan and the Government of South Sudan rapidly to conclude negotiations with the United Nations on a status-of-forces agreement,

Bearing in mind the importance of coherence of United Nations assistance in the region,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all of its peacekeeping operations,

Deeply concerned by all acts of violence committed in the Abyei Area against civilians in violation of international humanitarian law and human rights law, including the killing and displacement of significant numbers of civilians,

Stressing the need for effective human rights monitoring,

Welcoming the meeting of the Abyei Joint Oversight Committee held on 13 December 2011, at which the Committee reaffirmed the urgency of facilitating the delivery of humanitarian assistance to all affected communities in the Abyei Area,

Deeply concerned by the continued presence of military and police personnel from the Sudan and South Sudan in the Abyei Area, in violation of the Agreement of 20 June 2011, which poses a threat to the safe migration of Misseriya nomads and the return of Ngok Dinka refugees to their homes and prevents the Force from implementing fully its mandate,

Concerned by delays in the establishment of the Abyei Area Administration,

Noting the lack of progress in establishing the Abyei Police Service, including a special unit to deal with particular issues related to nomadic migration,

Concerned by delays in the clearance of landmines in the Abyei Area, which hinders the safe return of internally displaced persons to their homes,

Expressing its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party, and calling upon all parties to engage constructively in negotiations towards the final agreement on the status of Abyei,

Deeply concerned by the reported build-up of armed forces of the Sudan and South Sudan near their mutual border and inflammatory rhetoric from both sides, which increases the risk of direct confrontation between them, *Recognizing* that the current situation in Abyei and along the border between the Sudan and South Sudan constitutes a threat to international peace and security,

1. *Decides* to extend, for a period of five months, the mandate of the United Nations Interim Security Force for Abyei as set out in paragraph 2 of resolution 1990 (2011) and modified by resolution 2024 (2011), and, acting under Chapter VII of the Charter of the United Nations, including the tasks set out in paragraph 3 of resolution 1990 (2011);

2. *Recognizes* that the ability of the Force to carry out effectively its mandate will depend on the fulfilment by the Governments of the Sudan and South Sudan of the commitments agreed between the two parties and with the United Nations;

3. *Demands* that the Governments of the Sudan and South Sudan redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions, and urgently finalize the establishment of the Abyei Area Administration and the Abyei Police Service, in accordance with their commitments in the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011;[278]

4. *Urges* the Government of the Sudan and the Government of South Sudan to make use of the Joint Political and Security Mechanism to resolve outstanding issues related to the finalization of the Safe Demilitarized Border Zone, the resolution of disputed border areas, border demarcation and the mapping of the border zone;

5. *Calls upon* all Member States, in particular the Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and throughout the Safe Demilitarized Border Zone of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, which are for the exclusive and official use of the Force;

6. *Urges* the Government of the Sudan and the Government of South Sudan to cooperate fully with each other and to provide full support to the Force, enabling it to fully implement the mandate;

7. *Requests* the Government of the Sudan and the Government of South Sudan to facilitate the deployment of the United Nations Mine Action Service as well as the identification and clearance of mines in the Abyei Area;

8. *Calls upon* the Government of the Sudan and the Government of South Sudan urgently to fulfil their commitment under the Comprehensive Peace Agreement of 9 January 2005[277] to resolve peacefully the final status of Abyei, and calls upon them to consider in good faith proposals that the African Union High-level Implementation Panel shall make to resolve this matter;

9. *Urges* all parties involved to provide humanitarian personnel with full, safe and unhindered access to civilians in need of assistance and all facilities necessary for their operations, in accordance with applicable international humanitarian law;

10. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out and the results included in his reports to the Security Council, and calls upon the Government of the Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end;

11. *Also requests* the Secretary-General to take the measures necessary to ensure full compliance of the Force with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed if cases of such conduct occur;

12. *Stresses* that improved cooperation between the Government of the Sudan and the Government of South Sudan is also critical for peace, security and stability and future relations between them;

13. *Requests* the Secretary-General to continue to inform the Council of progress in implementing the mandate of the Force at sixty-day intervals and continue to bring to the Council's immediate attention any serious violations of the above-referenced agreements, and to look for and implement ways to strengthen inter-mission cooperation within the region;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6699th meeting.

Decisions

At its 6700th meeting, on 11 January 2012, the Security Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2011/814)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At its 6716th meeting, on 17 February 2012, the Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 2035 (2012)
of 17 February 2012

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Sudan,

Reaffirming its commitment to the cause of peace throughout the Sudan, to the sovereignty, independence, unity and territorial integrity of the Sudan and to the full and timely resolution of outstanding Comprehensive Peace Agreement[277] issues, welcoming the Doha Document for Peace in Darfur,[279] and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Recognizing that the Darfur conflict cannot be resolved militarily and that a durable solution can only be obtained through an inclusive political process,

Reiterating its full support for efforts to reach a comprehensive and inclusive solution to the conflict in Darfur, and welcoming the Doha Document for Peace in Darfur as a basis for these efforts, and reiterating the need for the completion of the political process and an end to the violence and abuses in Darfur,

Urging the Government of the Sudan and the Liberation and Justice Movement to deliver on the commitments made in the Doha Document for Peace in Darfur, and urging all parties, in particular other armed movements that have not signed the Doha Document, to indicate a willingness to negotiate without preconditions or further delays on the basis of the Doha Document and fully participate in the joint African Union-United Nations mediation,

Welcoming the inauguration of the Darfur Regional Authority as an important step in the implementation of the Doha Document for Peace in Darfur,

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[279] S/2011/449, enclosure 2.

Demanding that the parties to the conflict exercise restraint and cease military action of all kinds, including aerial bombardments,

Demanding also an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians, in line with resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009, the recruitment and use of children, in line with resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011, and indiscriminate attacks on civilians, in line with resolution 1894 (2009) of 11 November 2009,

Commending the efforts of, and reiterating its full support for, the African Union-United Nations Hybrid Operation in Darfur, the joint African Union-United Nations mediation, the United Nations Secretary-General, the African Union High-level Implementation Panel and the leaders of the region to promote peace and stability in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation,

Urging enhanced cooperation and information-sharing between the African Union-United Nations Hybrid Operation in Darfur and the Panel of Experts on the Sudan, called for in the guidelines of the Department of Peacekeeping Operations of the Secretariat and with the assistance of the Operation focal point,

Recalling the midterm report of 28 June 2011 of the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (*b*) of resolution 1591 (2005) of 29 March 2005, whose mandate was extended by subsequent resolutions, taking note of the final report of the Panel, and expressing its intention to study, through the Security Council Committee established pursuant to paragraph 3 (*a*) of resolution 1591 (2005) (hereinafter "the Committee"), the recommendations of the Panel and to consider appropriate next steps,

Expressing its concern over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including delays in the issuance of visas and travel permits and restrictions to the freedom of movement of the Panel and the African Union-United Nations Hybrid Operation in Darfur,

Emphasizing the need to respect the provisions of the Charter of the United Nations concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations,[280] as applicable to United Nations operations and persons engaged in such operations,

Reminding all States, particularly States in the region, of the obligations contained in resolutions 1556 (2004) of 30 July 2004, 1591 (2005) and 1945 (2010) of 14 October 2010, in particular those obligations relating to arms and related materiel,

Stressing the necessity, articulated in the Doha Document for Peace in Darfur, that all parties to the armed conflict in Darfur shall fully and unconditionally accept their obligations under international humanitarian law, international human rights law, and relevant Security Council resolutions,

Calling upon the Government of the Sudan to fulfil all its commitments, including lifting the state of emergency in Darfur, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated,

Emphasizing the imperative, highlighted in the Doha Document for Peace in Darfur, to refrain from all acts of violence against civilians, in particular vulnerable groups such as women and children, and from violations of human rights and international humanitarian law, and the need to address the urgent humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas,

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[280] General Assembly resolution 22 A (I).

Noting that acts of hostility, violence or intimidation against the civilian population, including internally displaced persons, in Darfur and other activities that could endanger or undermine the commitment by the parties to a complete and durable cessation of hostilities would be inconsistent with the Doha Document for Peace in Darfur,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to extend until 17 February 2013 the mandate of the Panel of Experts on the Sudan originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005) of 21 December 2005, 1665 (2006) of 29 March 2006, 1713 (2006) of 29 September 2006, 1779 (2007) of 28 September 2007, 1841 (2008) of 15 October 2008, 1891 (2009) of 13 October 2009, 1945 (2010) and 1982 (2011) of 17 May 2011, and requests the Secretary-General to take the necessary administrative measures, including basing arrangements, as expeditiously as possible;

2. *Notes* the creation on 11 January 2012 of two additional states in Darfur, and confirms that all previous references to Northern, Southern and Western Darfur shall apply to all the territory of Darfur, including the new states of Eastern and Central Darfur;

3. *Decides* that the listing criteria set out in paragraph 3 (*c*) of resolution 1591 (2005) shall also apply to entities;

4. *Decides also* that the exemptions in support of the implementation of the Comprehensive Peace Agreement[277] set forth in paragraph 7 of resolution 1591 (2005) and further clarified in paragraph 8 (*b*) of resolution 1945 (2010) shall no longer apply;

5. *Requests* the Panel of Experts to provide, no later than 31 July 2012, a midterm briefing on its work and no later than ninety days after the adoption of the present resolution an interim report to the Committee and a final report to the Security Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

6. *Also requests* the Panel of Experts to provide monthly updates to the Committee regarding its activities, including travel by the Panel, any obstacles encountered to the fulfilment of its mandate, as well as violations of the sanctions;

7. *Further requests* the Panel of Experts to report, in the time frame identified in paragraph 5 above, on the implementation and effectiveness of paragraph 10 of resolution 1945 (2010);

8. *Requests* the Panel of Experts to coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), paragraph 7 of resolution 1591 (2005) and paragraph 10 of resolution 1945 (2010), and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (*c*) of resolution 1591 (2005);

9. *Regrets* that some individuals affiliated with the Government of the Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (*c*) of resolution 1591 (2005), and encourages the Panel of Experts, in coordination with the joint African Union-United Nations mediation, to provide to the Committee, when appropriate, the names of any individuals, groups or entities that meet the listing criteria;

10. *Requests* the Panel of Experts to continue to investigate the role of armed, military and political groups in attacks against African Union-United Nations Hybrid Operation in Darfur personnel in Darfur, and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (*c*) of resolution 1591 (2005);

11. *Expresses its concern* that certain items are being converted for military purposes and transferred to Darfur, and urges all States to be mindful of this risk in the light of the measures contained in resolution 1591 (2005);

12. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions 1556 (2004) and 1591 (2005), and calls upon all States to remove all obstacles to the work of the Panel, particularly to freedom of movement, including by issuing timely visas and travel permits;

13. *Urges* all States, in particular those in the region, to report to the Committee on the actions they have taken to implement the measures imposed by resolutions 1556 (2004) and 1591 (2005), including the imposition of targeted measures;

14. *Expresses its concern* that the travel ban and asset freeze on designated individuals is not being implemented by all States, and requests the Committee to respond effectively to any reports of non-compliance by States with paragraph 3 of resolution 1591 (2005) and resolution 1672 (2006) of 25 April 2006, including by engaging with all relevant parties;

15. *Expresses its intention*, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures imposed in resolutions 1591 (2005) and 1945 (2010), with a view to ensuring full compliance;

16. *Reaffirms* the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures, and further encourages the Committee to continue its dialogue with the African Union-United Nations Hybrid Operation in Darfur;

17. *Welcomes* the work of the Committee, which has drawn on the reports of the Panel of Experts and taken advantage of the work done in other forums, to draw attention to the responsibilities of private sector actors in conflict-affected areas;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6716th meeting.

Decisions

At its 6730th meeting, on 6 March 2012, the Security Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[281]

> "The Security Council expresses grave concern about reports of repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, support to proxy forces and aerial bombardments, and views the situation as a serious threat

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[281] S/PRST/2012/5.

to international peace and security. The Council urges the two countries to implement and respect the letter and spirit of their Memorandum of Understanding on Non-aggression and Cooperation of 10 February 2012,[282] which was agreed under the auspices of the African Union High-level Implementation Panel.

"The Council demands that all parties cease military operations in the border areas and put an end to the cycle of violence. It further demands that the Governments of the Sudan and South Sudan take no action that would undermine the security and stability of the other, including through any direct or indirect form of support to armed groups in the other's territory. The Council condemns actions by any armed group aimed at the forced overthrow of the Government of either the Sudan or South Sudan. The Council affirms its strong commitment to the sovereignty and territorial integrity of both the Sudan and South Sudan.

"The Council reiterates that the core objectives of the international community and all stakeholders in the Sudan and South Sudan are the peaceful coexistence of two fully viable States, embracing democratic governance, the rule of law, accountability, equality, respect for human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong and sustainable livelihoods.

"The Council recalls the Framework Agreement between the Government of the Sudan and the Sudan People's Liberation Movement-North on Political and Security Arrangements for Blue Nile and Southern Kordofan States of 28 June 2011, and urges them to return to direct talks to resolve all political and security issues on the basis of the Comprehensive Peace Agreement of 9 January 2005[277] and of the agreed principles of the Framework Agreement. The Council urges them to resolve the underlying issues that have fuelled the current conflict in Southern Kordofan and Blue Nile, to end all violence and to agree to an immediate cessation of hostilities. The Council strongly supports the efforts of the African Union High-level Implementation Panel and the United Nations to assist in this regard. With regard to the humanitarian situation, the Council emphasizes the grave urgency of delivering humanitarian aid to avert a worsening of the serious crisis in Southern Kordofan and Blue Nile, and demands that the Government of the Sudan and the Sudan People's Liberation Movement-North cooperate fully with the United Nations and other humanitarian agencies and organizations, and ensure, in accordance with international law, including applicable international humanitarian law, and guiding principles of emergency humanitarian assistance, the safe, unhindered and immediate access of United Nations and other humanitarian personnel, as well as the delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting conflict-affected civilian populations in Southern Kordofan and Blue Nile States. The Council welcomes the tripartite proposal by the United Nations, the African Union and the League of Arab States in this regard, welcomes its acceptance by the Sudan People's Liberation Movement-North, and encourages the Government of the Sudan to do the same.

"The Council deeply deplores the continued failure of the Sudanese and South Sudanese security forces to redeploy from the Abyei Area in accordance with the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011[278] and the decision of the Abyei Joint Oversight Committee of 8 September 2011.[283] The Council welcomes the decision of the Joint Political and Security Mechanism to establish and move forward with the Joint Border Verification and Monitoring Mechanism, in accordance with the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011. The Council urges the parties to agree on a map that will outline the area of operations for the Safe Demilitarized Border Zone and the area of operations for border monitors. The Council demands that the two countries accelerate implementation of the Agreement of 20 June 2011 and the immediate establishment of the Abyei Area Administration, and work actively toward a long-term political resolution of Abyei's final status. The Council demands that the Governments of the Sudan and South Sudan facilitate the safe and dignified return of persons displaced from Abyei to their homes and grant full, safe and unhindered humanitarian access to the Abyei Area. The Council emphasizes the need for a safe and cooperative migration season.

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[282] S/2012/135, enclosure.

[283] See S/2011/593.

"The Council regards the settlement of oil and financial arrangements between the Governments of the Sudan and South Sudan as a critical element of the security, stability and prosperity of the two countries as viable States. The Council affirms that any unilateral action related to the oil sector is detrimental to the security, stability and prosperity of both States. The Council strongly urges both States to work within the framework of the comprehensive proposal of the African Union High-level Implementation Panel of January 2012 in order to reach mutual agreements without delay on transitional financial arrangements and commercial oil arrangements.

"The Council urges the Governments of the Sudan and South Sudan to ensure that clear procedures for acquiring nationality in the respective States are in place, together with relevant documentation regarding residency or the right to employment. If such arrangements are not in place before the end of the transition period on 8 April 2012, the Council urges both States to agree on an extension.

"The Council strongly urges the Governments of the Sudan and South Sudan to reach agreement on the status of disputed areas along the Sudan/South Sudan border, and to agree on and swiftly implement a process and timeline for demarcation of the border under the facilitation of the African Union High-level Implementation Panel.

"The Council reiterates its full support to the United Nations peacekeeping missions in the Sudan and South Sudan. It calls upon the Sudan and South Sudan to cooperate fully with the United Nations missions to ensure them free access throughout their areas of operation and to ensure unhindered and expeditious movement of all personnel, including by swiftly granting visas and travel permits, as well as of equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, which are for the exclusive and official use of United Nations missions.

"The Council strongly urges the Sudan and South Sudan to continue working within the context of the negotiations process facilitated by the African Union High-level Implementation Panel to reach agreement on all outstanding issues as soon as possible, and encourages the continued partnership among the Panel, the United Nations and other key international stakeholders to combine their efforts in support of those negotiations.

"The Council reaffirms its commitment to a peaceful and prosperous future for the people of the Sudan and South Sudan. The Council expresses its gratitude and full support for the continuing work of the African Union High-level Implementation Panel and its Chairperson, President Thabo Mbeki, and of the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and stresses the collaborative partnership between the United Nations and the African Union in this regard. The Council calls upon the Governments of the Sudan and South Sudan to extend their full cooperation to the Panel."

At its 6749th meeting, on 12 April 2012, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[284]

> "The Security Council expresses its deep and growing alarm at the escalating conflict between the Sudan and South Sudan, as manifested most recently by the seizure and occupation of the town of Heglig and its oil fields in the Sudan by the Sudan People's Liberation Army. The recent violence threatens to return both countries to full-scale war and the period of tragic loss of life and suffering, destroyed infrastructure and economic devastation which they have worked so hard and so long to overcome. The Council demands a complete, immediate and unconditional end to all fighting, withdrawal of the Sudan People's Liberation Army from Heglig, end to aerial bombardments by the Sudanese Armed Forces, end to repeated incidents of cross-border violence between the Sudan and South Sudan, and an end to support by both sides to proxies in the other country.
>
> "The Council affirms its strong commitment to the sovereignty and territorial integrity of both the Sudan and South Sudan. It recalls the importance of the principles of good-neighbourliness, non-interference and regional cooperation.
>
> "The Council demands that both sides redeploy their forces 10 kilometres outside the north/south borderline of 1 January 1956 in accordance with their Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and their Agreement on the Border Monitoring Support Mechanism of 30 July 2011.[276] It urges the Sudan and South Sudan to take immediate steps to establish a Safe Demilitarized Border Zone and activate the Joint Border Verification and Monitoring Mechanism, and reiterates its readiness to continue to support the parties in implementing this Agreement with the support of the United Nations Interim Security Force for Abyei, in accordance with resolution 2024 (2011). The Council calls upon the Sudan and South Sudan to respect the letter and spirit of the Memorandum of Understanding on Non-aggression and Cooperation of 10 February 2012.[282]
>
> "The Council reiterates its demand that the Sudan and South Sudan urgently redeploy their security forces immediately from the Abyei Area in accordance with their Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011[278] and resolution 1990 (2011).
>
> "The Council calls upon the Governments of the Sudan and South Sudan urgently and peacefully to resolve the fundamental issues of security and border management, the situations in Southern Kordofan and Blue Nile and Abyei and all outstanding issues from the Comprehensive Peace Agreement of 9 January 2005[277] that are fuelling the mistrust between the two countries. It further calls upon the leaders of the Sudan and South Sudan to meet immediately at a summit as previously planned in order to advance the issues that stand in the way of achieving lasting peace.
>
> "The Council underscores its support for the continuing efforts of the African Union High-level Implementation Panel to assist the Sudan and South Sudan to reach agreement on all outstanding issues, and encourages continuing partnership with the United Nations in this regard.
>
> "The Council views the current situation as a serious threat to international peace and security. It will continue to follow the situation closely and will take further steps as necessary. The Council looks forward to receiving a briefing from the African Union High-level Implementation Panel and the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, in the coming days."

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[284] S/PRST/2012/12.

At its 6762nd meeting, on 26 April 2012, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2012/231)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At its 6764th meeting, on 2 May 2012, the Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 2046 (2012)
of 2 May 2012

The Security Council,

Recalling its previous resolutions and statements on the situation in the Sudan and South Sudan, in particular resolutions 1990 (2011) of 27 June 2011, 2024 (2011) of 14 December 2011 and 2032 (2011) of 22 December 2011, and the statements by its President of 6 March[281] and 12 April 2012,[284] and further recalling the priority it attaches to the full and urgent advancement of all outstanding issues from the Comprehensive Peace Agreement of 9 January 2005,[277]

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Sudan and South Sudan and to the purposes and principles of the Charter of the United Nations,

Noting paragraph 7 of the decision of 24 April 2012 of the Peace and Security Council of the African Union at its 319th meeting on the situation between the Sudan and South Sudan,[285] and reiterating that the territorial boundaries of States shall not be altered by force and that any territorial disputes shall be settled exclusively by peaceful means,

Recalling the importance of the principles of the peaceful settlement of international disputes, good-neighbourliness, non-interference and regional cooperation,

Deeply committed to seeing the Sudan and South Sudan become two economically prosperous States living side by side in peace, security and stability, and underlining the importance of building mutual trust, confidence and an environment conducive to long-term stability and economic development,

Condemning the repeated incidents of cross-border violence between the Sudan and South Sudan, including troop movements, the seizure and occupation of Heglig, support to proxy forces and aerial bombardments by the Sudanese Armed Forces,

Condemning also actions by any armed group aimed at the forced overthrow of the Government of either the Sudan or South Sudan,

Expressing deep concern at the humanitarian situation created by the fighting between the Sudan and South Sudan and the continued fighting in the states of Southern Kordofan and Blue Nile in the Sudan,

Strongly condemning all acts of violence committed against civilians in violation of international humanitarian law and human rights law,

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[285] S/2012/298, enclosure 3.

Welcoming the withdrawal from Heglig of the army of South Sudan, and calling for the immediate cessation of aerial bombardments by the Sudanese Armed Forces against South Sudan,

Strongly condemning the violations of the human rights of non-combatants in the affected area, the damage to economic infrastructure, in particular oil installations, and all inflammatory statements, which result in mutual demonization and the threat of hostile action by extremist elements, including xenophobic attacks,

Calling for an impartial fact-finding effort to assess the losses and economic and humanitarian damage, including to oil facilities and other key infrastructure, in and around Heglig,

Expressing deep concern at the fate of the nationals of both countries resident in each other's territory, following the end of the transition period that occurred on 8 April 2012,

Recalling the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism of 29 June 2011, taking note of the commitment in paragraph 2 to create a Safe Demilitarized Border Zone, and recalling the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011,[276] which elaborates on the establishment of the Joint Border Verification and Monitoring Mechanism with an area of responsibility corresponding to the Safe Demilitarized Border Zone, and the Joint Political and Security Mechanism,

Recognizing the urgent need for the Sudan and South Sudan to commence the process of border demilitarization,

Deploring the failure of Sudan and South Sudan security forces to redeploy from the Abyei Area in accordance with their Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011[278] and resolution 1990 (2011),

Convinced that there can be no military solution to the conflict in Southern Kordofan and Blue Nile, and stressing the urgent need for a political and negotiated solution, based on respect for diversity in unity,

Reaffirming its previous resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security,

Welcoming the continuing efforts of the African Union to support the Sudan and South Sudan in addressing the legacy of conflict and bitterness in the Sudan, notably through the conclusion of the Comprehensive Peace Agreement, its implementation, in particular the holding of the referendum on self-determination of South Sudan, and the negotiations on post-secession relations,

Commending the efforts of the African Union High-level Implementation Panel, including its Chairperson, President Thabo Mbeki, and former Presidents Abdulsalami Abubakar and Pierre Buyoya, the Chairperson of the Intergovernmental Authority on Development, Prime Minister Meles Zenawi of Ethiopia, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the United Nations Interim Security Force for Abyei under the leadership of Lieutenant General Tadesse Werede Tesfay,

Expressing its full support for the decision of 24 April 2012 of the Peace and Security Council at its 319th meeting on the situation between the Sudan and the South Sudan, in order to ease the current tension and facilitate the resumption of negotiations on post-secession relations and the normalization of their relations, including, in particular, the road map outlined in that decision, *Determining* that the prevailing situation along the border between the Sudan and South Sudan constitutes a serious threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Decides* that the Sudan and South Sudan shall take the following actions with immediate effect unless otherwise specified below:

(i) Immediately cease all hostilities, including aerial bombardments, with the parties formally conveying their commitment in this respect to the Chairperson of the African Union Commission and the President of the Security Council no later than forty-eight hours from the adoption of the present resolution;

(ii) Unconditionally withdraw all of their armed forces to their side of the border, in accordance with previously adopted agreements, including the Agreement on the Border Monitoring Support Mission of 30 July 2011;[276]

(iii) Activate, within no more than a week of the adoption of the present resolution, the necessary border security mechanisms, namely the Joint Border Verification and Monitoring Mechanism and the Safe Demilitarized Border Zone, in accordance with the administrative and security map presented to the parties by the African Union High-level Implementation Panel in November 2011, it being understood that this map in no way prejudices ongoing negotiations on the disputed areas and demarcation of the border;

(iv) Cease the harbouring of or support to rebel groups against the other State;

(v) Activate the ad hoc Committee, under the Joint Political and Security Mechanism, to receive and investigate complaints and allegations made by one party against the other;

(vi) Immediately cease hostile propaganda and inflammatory statements in the media, as well as any attacks against the property and religious and cultural symbols belonging to the nationals of the other State, with the two Governments assuming full responsibility for the protection of each other's nationals in line with international principles, consistent with the Framework Agreement on the Status of Nationals of the Other State and Related Matters initialled in March 2012;

(vii) Implement pending aspects of the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011,[278] in particular the redeployment, within no more than two weeks of the adoption of the present resolution, of all Sudanese and South Sudanese forces out of the Abyei Area;

2. *Decides also* that the Sudan and South Sudan shall unconditionally resume negotiations, under the auspices of the African Union High-level Implementation Panel and with the support of the Chairperson of the Intergovernmental Authority on Development, at a time to be set by the Panel in consultation with relevant international partners, but within no more than two weeks from the time of adoption of the present resolution, to reach agreement on the following critical issues:

(i) Arrangements concerning oil and associated payments;

(ii) The status of nationals of one country resident in the other, consistent with the Framework Agreement on the Status of Nationals of the Other State and Related Matters initialled in March 2012;

(iii) Resolution of the status of the disputed and claimed border areas and the demarcation of the border;

(iv) The final status of the Abyei Area;

3. *Decides further* that the Government of the Sudan and the Sudan People's Liberation Movement-North shall extend full cooperation to the African Union High-level Implementation Panel and the Chairperson of the Intergovernmental Authority on Development to reach a

negotiated settlement on the basis of the Framework Agreement on Political Partnership between the National Congress Party and the Sudan People's Liberation Movement-North and Political and Security Arrangements in Blue Nile and Southern Kordofan States of 28 June 2011;

4. *Strongly urges* the Sudan and the Sudan People's Liberation Movement-North to accept the tripartite proposal submitted by the African Union, the United Nations and the League of Arab States, to permit humanitarian access to the affected population in the two areas, ensuring in accordance with applicable international law, including applicable international humanitarian law, and guiding principles of emergency humanitarian assistance the safe, unhindered and immediate access of United Nations and other humanitarian personnel, as well as the delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting the conflict-affected civilian population;

5. *Decides* that the negotiations referred to in paragraph 2 above shall be concluded within three months of the adoption of the present resolution, and in the event that these negotiations fail to result in an agreement on any or all of the issues within the allotted time frame of three months, requests the Secretary-General, in consultation with the African Union High-level Implementation Panel, the Chairperson of the Intergovernmental Authority on Development and the Chairperson of the African Union Commission, to report within four months of the date of the present resolution to the Security Council on the status of the negotiations, including detailed proposals on all outstanding issues;

6. *Requests* the Secretary-General to consult with the African Union on the implementation of the present resolution and the decisions of the Peace and Security Council of the African Union, to work closely with the African Union High-level Implementation Panel in support of its facilitation efforts, and to inform the Security Council within fifteen days and at two-week intervals thereafter on the status of compliance by the Sudan, South Sudan and the Sudan People's Liberation Movement-North with the decisions set forth in the present resolution, and expresses its intention, in the event that any or all of the parties have not complied with the decisions set forth in the present resolution, to take appropriate additional measures under Article 41 of the Charter of the United Nations, as necessary;

7. *Calls upon* all parties to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian and international human rights law, and calls for those responsible for serious violations of such law, including sexual violence, to be held accountable;

8. *Commends* the efforts of the United Nations Interim Security Force for Abyei in carrying out its mandate, expresses its deep appreciation for the work of the Force Commander and the troop-contributing countries, and expresses its intention to evaluate the mandate of the Force in the context of compliance by the Sudan and South Sudan with the decisions set forth in the present resolution and with the fulfilment of their commitments as set out in the Agreements of 20 and 29 June and 30 July 2011;

9. *Stresses* the importance of, and the need to restore, a comprehensive, just and lasting peace between the Sudan and South Sudan;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6764th meeting.

Decision

At its 6773rd meeting, on 17 May 2012, the Security Council decided to invite the representatives of South Sudan and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 2047 (2012)
of 17 May 2012

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in the Sudan and South Sudan, in particular resolutions 1990 (2011) of 27 June 2011, 2024 (2011) of 14 December 2011, 2032 (2011) of 22 December 2011 and 2046 (2012) of 2 May 2012,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Sudan and South Sudan and to the purposes and principles of the Charter of the United Nations,

Reiterating that the territorial boundaries of States shall not be altered by force and that any territorial disputes shall be settled exclusively by peaceful means,

Affirming the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement of 9 January 2005,[277]

Reaffirming its previous resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security,

Recalling the commitments made by the Government of the Sudan and the Government of South Sudan in the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011,[278] the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011,[276]

Expressing its full support for the decision of 24 April 2012 of the Peace and Security Council of the African Union at its 319th meeting on the situation between the Sudan and South Sudan,[285] in order to ease the current tension and facilitate the resumption of negotiations on post-secession relations and the normalization of their relations, including, in particular, the road map outlined in that decision,

Stressing that both countries will have much to gain if they show restraint and choose the path of dialogue instead of resorting to violence or provocations,

Commending the continued assistance provided to the parties by the African Union High-level Implementation Panel, including its Chairperson, President Thabo Mbeki, and former Presidents Abdulsalami Abubakar and Pierre Buyoya, the Chairperson of the Intergovernmental Authority on Development, Prime Minister Meles Zenawi of Ethiopia, the Special Envoy of the Secretary-General for the Sudan and South Sudan, Mr. Haile Menkerios, and the United Nations Interim Security Force for Abyei under the leadership of Lieutenant General Tadesse Werede Tesfay,

Commending also the efforts of the Force in carrying out its mandate, and expressing its deep appreciation for the work of the troop-contributing countries,

Bearing in mind the importance of coherence of United Nations assistance in the region,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all of its peacekeeping operations, *Deeply concerned* by all acts of violence committed in the Abyei Area against civilians in violation of international humanitarian law and human rights law, including the killing and displacement of significant numbers of civilians,

Stressing the need for effective human rights monitoring, and expressing concern at the lack of cooperation by the parties with the Secretary-General to this end,

Stressing also the urgency of facilitating the delivery of humanitarian assistance to all affected communities in the Abyei Area,

Affirming the importance of voluntary, safe, orderly return and sustainable reintegration of displaced persons, and of safe and cooperative migration seasons,

Stressing that the presence of military and police personnel in violation of the Agreement of 20 June 2011 and resolution 2046 (2012) poses a threat to the safe migration of Misseriya nomads and the return of Ngok Dinka displaced persons to their homes and prevents the Force from implementing fully its mandate,

Deeply concerned by delays in the establishment of the Abyei Area Administration,

Noting the lack of progress in establishing the Abyei Police Service, including a special unit to deal with particular issues related to nomadic migration,

Deeply concerned by the continued presence of landmines in the Abyei Area, which hinders the safe return of displaced persons to their homes and safe migration,

Expressing its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the Comprehensive Peace Agreement and not by the unilateral actions of either party, and calling upon all parties to engage constructively in negotiations towards the final agreement on the status of Abyei,

Recognizing that the current situation in Abyei and along the border between the Sudan and South Sudan constitutes a serious threat to international peace and security,

1. *Decides* to extend, for a period of six months, the mandate of the United Nations Interim Security Force for Abyei as set out in paragraph 2 of resolution 1990 (2011) and modified by resolution 2024 (2011), and, acting under Chapter VII of the Charter of the United Nations, including the tasks set out in paragraph 3 of resolution 1990 (2011);

2. *Welcomes* the redeployment of South Sudanese military and police personnel from the Abyei Area in compliance with resolution 2046 (2012), and demands that the Government of the Sudan redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions, and reiterates, in accordance with relevant resolutions, in particular resolutions 1990 (2011) and 2046 (2012), that the Abyei Area shall be demilitarized from any forces other than the Force and the Abyei Police Service;

3. *Demands* that the Sudan and South Sudan urgently finalize the establishment of the Abyei Area Administration, including by resolving the deadlock over senior appointments, and constitute the Abyei Police Service, in accordance with their commitments in the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011;[278]

4. *Urges* the Sudan and South Sudan to make regular use of the Abyei Joint Oversight Committee to ensure steady progress on the implementation of the Agreement of 20 June 2011;

5. *Reiterates* its decisions in resolution 2046 (2012) that the Sudan and South Sudan shall unconditionally withdraw all of their armed forces to their side of the border, in accordance with previously adopted agreements, and activate the necessary border security mechanisms, namely the Joint Border Verification and Monitoring Mechanism and the Safe Demilitarized Border Zone, in accordance with the administrative and security map presented to the parties by the African Union High-level Implementation Panel in November 2011, it being understood that this

map in no way prejudices ongoing negotiations on the disputed areas and demarcation of the border, and activate the ad hoc Committee under the Joint Political and Security Mechanism;

6. *Welcomes* the efforts of the Secretary-General to assist the parties in the immediate establishment of a temporary Joint Border Verification and Monitoring Mechanism headquarters;

7. *Expresses its intention* to review the mandate of the Force after a period of four months for possible reconfiguration of the mission in the light of the compliance by the Sudan and South Sudan with the decisions set forth in resolution 2046 (2012) and their commitments as set forth in the Agreements of 20 and 29 June and 30 July 2011, including the redeployment of all forces from the Safe Demilitarized Border Zone, achieving full operational capability for the Joint Border Verification and Monitoring Mechanism and completing the full demilitarization of the Abyei Area;

8. *Calls upon* all Member States, in particular the Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and throughout the Safe Demilitarized Border Zone of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, which are for the exclusive and official use of the Force;

9. *Notes* that the status-of-forces agreement referred to in paragraph 4 of resolution 1990 (2011) continues to apply, mutatis mutandis, in respect of the Force, and demands that the Sudan and South Sudan conclude immediately a status-of-forces agreement with the Secretary-General and provide full support to the United Nations, including by issuing visas to military and civilian United Nations personnel without prejudice to their nationality, facilitating basing arrangements and flight clearances and providing logistical support;

10. *Demands* that the Government of the Sudan and the Government of South Sudan facilitate the deployment of the United Nations Mine Action Service as well as the identification and clearance of mines in the Abyei Area;

11. *Demands also* that all parties involved provide humanitarian personnel with full, safe and unhindered access to civilians in need of assistance and all facilities necessary for their operations, in accordance with applicable international humanitarian law;

12. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out and the results included in his reports to the Security Council, and calls upon the Government of the Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned United Nations personnel;

13. *Also requests* the Secretary-General to take the measures necessary to ensure full compliance of the Force with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed if cases of such conduct occur;

14. *Stresses* that improved cooperation between the Government of the Sudan and the Government of South Sudan is also critical for peace, security and stability and future relations between them;

15. *Requests* the Secretary-General to continue to inform the Council of progress in implementing the mandate of the Force at sixty-day intervals and continue to bring to the Council's immediate attention any serious violations of the above-referenced agreements;

16. *Notes* the efforts of the Secretary-General to ensure close cooperation among United Nations missions in the region, including the United Nations Interim Security Force for Abyei, the United Nations Mission in South Sudan and the African Union-United Nations Hybrid Operation in Darfur, and requests him to continue this practice;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6773rd meeting.

Decisions

At its 6778th meeting, on 5 June 2012, the Security Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6800th meeting, on 5 July 2012, the Council decided to invite the representative of South Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on South Sudan (S/2012/486)".

Resolution 2057 (2012)
of 5 July 2012

The Security Council,

Recalling its previous resolutions 1996 (2011) of 8 July 2011 and 2046 (2012) of 2 May 2012,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of South Sudan,

Welcoming the establishment of government institutions and the National Legislative Assembly by the Government of South Sudan, and further welcoming the enactment of national legislation, including the Political Parties Act,

Taking note of the Financial Management Act, as well as President Salva Kiir's legislative programme to combat corruption, and underscoring the need for the Government of South Sudan to take further steps to address corruption,

Deeply committed to seeing South Sudan become an economically prosperous State living side by side with the Sudan in peace, security and stability,

Underscoring the need for coherent United Nations activities in South Sudan, which requires clarity about roles, responsibilities and collaboration between the United Nations Mission in South Sudan and the United Nations country team based on their comparative advantages, and noting the need for cooperation with other relevant actors in the region, including the African Union-United Nations Hybrid Operation in Darfur, the United Nations Interim Security Force for Abyei and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo,

Underscoring also the need for forging stronger and well-defined partnerships among the United Nations, development agencies, bilateral partners and other relevant actors, regional and subregional institutions and the international financial institutions, to implement national strategies aimed at effective institution-building which are based on national ownership, the achievement of results and mutual accountability,

Deploring the persistence of conflict and violence and its effect on civilians, including the killing and displacement of significant numbers of civilians, and noting the importance of sustained cooperation and dialogue with civil society in the context of stabilizing the security situation and ensuring the protection of civilians,

Recalling the statement by its President of 11 February 2011,[286] in which it affirmed that national ownership and national responsibility are key to establishing sustainable peace and the primary responsibility of national authorities in identifying their priorities and strategies for post-conflict peacebuilding,

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[286] S/PRST/2011/4.

Stressing the need for a comprehensive, integrated and prioritized approach to peace consolidation that strengthens coherence between political, security, development, human rights and rule of law activities and addresses the underlying causes of conflict, and underlining that security and development are closely interlinked and mutually reinforcing and key to attaining sustainable peace,

Expressing deep concern at the humanitarian situation in South Sudan caused by heightened insecurity along the Sudan/South Sudan border region and the conflict in Southern Kordofan and Blue Nile States in the Sudan, as well as intercommunal violence and widespread food insecurity, and expressing concern at restrictions placed upon the movement of the United Nations Mission in South Sudan in certain areas,

Recalling previous statements on post-conflict peacebuilding, stressing the importance of institution-building as a critical component of peacebuilding, and emphasizing a more effective and coherent national and international response to enable countries emerging from conflict to deliver core government functions, including managing political disputes peacefully, and making use of existing national capacities in order to ensure national ownership of this process,

Emphasizing the vital role of the United Nations to support national authorities, in close consultation with international partners, to consolidate the peace and prevent a return to violence and therefore to develop an early strategy in support of national peacebuilding priorities, including establishment of core government functions, provision of basic services, establishment of the rule of law, respect for human rights, management of natural resources, development of the security sector, tackling youth unemployment and revitalization of the economy,

Recognizing the importance of supporting peacebuilding efforts in order to lay the foundation for sustainable development, and in this context noting with grave concern the potential impact of the austerity budget on such peacebuilding efforts, while also noting the measures taken by the Government of South Sudan to balance revenues and expenditures, and underscoring the important role that oil revenue could play in the economy of South Sudan,

Recognizing also the need to broaden and deepen the pool of available civilian experts, especially women and experts from developing countries, to help to develop national capacity, and encouraging Member States, the United Nations and other partners to strengthen cooperation and coordination to ensure that relevant expertise is mobilized to support the peacebuilding needs of the Government and people of South Sudan,

Recalling its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 and the statements by its President of 29 April 2009[287] and 16 June 2010[288] on children and armed conflict, and taking note of the reports of the Secretary-General of 29 August 2007,[289] 10 February 2009[290] and 5 July 2011[291] on children and armed conflict in the Sudan, and the conclusions on children and armed conflict in the Sudan endorsed by the Security Council Working Group on Children and Armed Conflict,[292]

Reaffirming its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel,

Reaffirming also its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of

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[287] S/PRST/2009/9.

[288] S/PRST/2010/10.

[289] S/2007/520.

[290] S/2009/84.

[291] S/2011/413.

[292] S/AC.51/2009/5.

16 December 2010 on women and peace and security, and reiterating the need for the full, equal and effective participation of women at all stages of peace processes, given their vital role in the prevention and resolution of conflict and peacebuilding, reaffirming the key role women can play in re-establishing the fabric of recovering society, and stressing the need for their involvement in the development and implementation of post-conflict strategies in order to take into account their perspectives and needs,

Acknowledging the importance of drawing on best practices, past experience and lessons learned from other missions, especially by troop- and police-contributing countries, in line with ongoing United Nations peacekeeping reform initiatives, including the New Horizon document,[293] the global field support strategy[294] and the review of civilian capacity in the aftermath of conflict,[295]

Recalling the commitments made by the Government of the Sudan and the Government of South Sudan in the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area of 20 June 2011,[278] the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism of 29 June 2011, the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011[276] and the Memorandum of Understanding on Non-aggression and Cooperation of 10 February 2012,[282]

Condemning the repeated incidents of cross-border violence between the Sudan and South Sudan, and recognizing that the prevailing situation of tension and instability in South Sudan's border area with the Sudan and outstanding issues from the Comprehensive Peace Agreement of 9 January 2005[277] have adversely affected the security situation, while also noting that there has been a recent reduction in the violence in the border region following the adoption of resolution 2046 (2012),

Determining that the situation faced by South Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Mission in South Sudan, as set out in paragraph 3 of resolution 1996 (2011), until 15 July 2013;

2. *Requests* the Secretary-General, through his Special Representative for South Sudan, to continue to direct the operations of an integrated Mission, coordinate all activities of the United Nations system in South Sudan and support a coherent international approach to a stable peace in South Sudan;

3. *Notes* the priority of the mandated tasks of the Mission in resolution 1996 (2011) for the protection of civilians and for the achievement of an improved security environment, urges the Mission to deploy its assets accordingly, and underscores the need for the Mission to focus adequate attention on capacity-building efforts in this area, welcomes the development of a protection of civilians strategy and an early warning and early response strategy, encourages the Mission to implement them, and requests the Secretary-General to include progress made in implementing these strategies in his reports to the Security Council;

4. *Calls upon* the Government of South Sudan to take greater responsibility for the protection of its civilians, and in this respect encourages cooperation with the Mission;

5. *Authorizes* the Mission to use all means necessary, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 3 (*b*) (iv) to (vi) of resolution 1996 (2011);

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[293] Non-paper entitled "A new partnership agenda: charting a new horizon for United Nations peacekeeping".

[294] See A/64/633.

[295] See S/2011/85.

6. Pending the activation of the Joint Border Verification and Monitoring Mechanism and the ad hoc Committee of the Joint Political and Security Mechanism as called for in resolution 2046 (2012), *requests* the Mission to observe and report on any flow of personnel, arms and related materiel across the border with the Sudan;

7. *Demands* that the Government of South Sudan and all relevant parties cooperate fully in the deployment, operations and monitoring, verification and reporting functions of the Mission, in particular by guaranteeing the safety, security and unrestricted freedom of movement of United Nations personnel as well as of associated personnel throughout the territory of South Sudan, and in this regard strongly condemns any attack on Mission troops and staff, and demands that there be no recurrence of such attacks;

8. *Calls upon* all Member States to ensure the free, unhindered and expeditious movement to and from South Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of the Mission;

9. *Calls upon* all parties to allow, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

10. *Demands* that all parties immediately cease all forms of violence and human rights abuses against the civilian population in South Sudan, in particular gender-based violence, including rape and other forms of sexual violence, as well as all violations and abuses against children in violation of applicable international law, such as their recruitment and use, intentional killing and maiming, abduction and attacks against schools and hospitals, and calls for specific and time-bound commitments to combat sexual violence in accordance with resolution 1960 (2010);

11. *Welcomes* the initiative of the Mission to launch an outreach campaign throughout the country, and encourages the Mission, within existing resources, to further develop its communication with local communities to improve understanding of the mandate of the Mission;

12. *Also welcomes* the signing by the Government of South Sudan on 12 March 2012 of a new action plan to end child recruitment reaffirming the commitment to release all children from the Sudan People's Liberation Army, acknowledges the measures taken by the Government to implement the new action plan, calls for the further implementation of the action plan, requests the Mission to advise and assist the Government in this regard, further requests the Secretary-General to strengthen child protection in United Nations system activities in South Sudan and ensure continued monitoring and reporting of the situation of children, and welcomes the establishment in September 2011 of the United Nations country task force on the monitoring and reporting mechanism;

13. *Encourages* the Government of South Sudan to ratify and implement key international human rights treaties and conventions, including those related to women and children, refugees and statelessness, and requests the Mission, with other United Nations actors, to advise and assist the Government in this regard;

14. *Expresses deep concern* at the intercommunal violence that took place in Jonglei State on 18 August 2011 and between 23 December 2011 and 4 February 2012, and the resulting loss of hundreds of lives, incidents of abduction of women and children, and large-scale displacements of civilians, acknowledges the efforts of the Government of South Sudan to respond to these incidents and protect its civilians, and in this regard underlines the need to address the recommendations of the All-Jonglei Peace Conference and of the human rights report of the Mission on these attacks, particularly the commencement of the Investigation Committee in an independent and impartial manner;

15. *Calls upon* the Government of South Sudan to take measures to improve women's participation in the outstanding issues of the Comprehensive Peace Agreement of 9 January 2005[277]

and post-independence arrangements and to enhance the engagement of South Sudanese women in public decision-making at all levels, including by promoting women's leadership, ensuring appropriate representation of women in the revision of the Constitution of South Sudan, supporting women's organizations and countering negative societal attitudes about women's capacity to participate equally;

16. *Calls upon* the authorities of South Sudan to combat impunity and to hold accountable all perpetrators of human rights and international humanitarian law violations, including those committed by illegal armed groups or elements of the South Sudan security forces;

17. *Calls upon* the Government of South Sudan to end prolonged, arbitrary detention and to establish a safe, secure and humane prison system, drawing on advice and technical assistance from and in cooperation with international partners, and requests the Mission, with other United Nations actors, to advise and assist the Government in this regard;

18. *Also calls upon* the Government of South Sudan to fully implement the national disarmament, demobilization and reintegration strategy and to expedite the ongoing disarmament, demobilization and reintegration programme in a coherent manner, and requests the Mission to work closely with the Government and in coordination with all relevant United Nations actors and other international partners in support of the disarmament, demobilization and reintegration process;

19. *Calls upon* the Mission to coordinate with the Government of South Sudan and participate in regional coordination and information mechanisms to improve protection of civilians and support disarmament, demobilization and reintegration efforts in the light of the attacks by the Lord's Resistance Army in South Sudan, and requests the Secretary-General to include in his trimesterly reports on the Mission a summary of cooperation and information-sharing between the Mission, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and regional and international partners in addressing the Lord's Resistance Army threats;

20. *Authorizes* the Secretary-General to take the necessary steps in order to ensure inter-mission cooperation, and authorizes, within the overall troop ceiling set out in paragraph 1 of resolution 1996 (2011), appropriate transfers of troops, force enablers and multipliers from other missions, subject to the agreement of the troop-contributing countries and without prejudice to the performance of the mandates of these United Nations missions;

21. *Underlines* the importance of implementing the peacebuilding tasks of the mandate of the United Nations Mission in South Sudan, and reiterates its request that the Mission report back to the Council on a plan for United Nations system support in this regard and update the Council through the regular reports of the Secretary-General on progress of United Nations system support to specific peacebuilding tasks, especially security sector reform, police institutional development, rule of law and justice sector support, human rights capacity-building, early recovery, formulation of national policies related to key issues of State-building and development and establishing the conditions for development, consistent with national priorities and with a view to contributing to the development of a common framework for monitoring progress in these areas; and stresses the benefits of close and full cooperation between the Mission and the Government of South Sudan, the United Nations country team and the donor community in order to avoid duplication of effort;

22. *Requests* the Secretary-General to continue to report to the Council on the expected timeline of the deployment of all Mission elements, including the status of consultations with troop- and police-contributing countries and of the deployment of key enablers, and, stressing the importance of timely recruitment of appropriate specialists to fill vacancies in the civilian component, further requests the Secretary-General to report to the Council on the expected timeline of the fulfilment of civilian staffing;

23. *Notes* the benchmarks outlined by the Secretary-General in his report[296] following consultations with the Government of South Sudan, and requests that he keep the Council regularly informed of progress in his periodic reports;

24. *Notes with concern* the critical need for military helicopters for the Mission, calls upon Member States to redouble their efforts to provide aviation units to the Mission, and requests the Secretary-General to include information on force generation efforts in his regular reports;

25. *Stresses* the need for the United Nations, international financial institutions and bilateral and multilateral partners to work closely with the Government of South Sudan to ensure that international assistance is consistent with national priorities, including the South Sudan Development Plan, and can deliver prioritized support that reflects the specific peacebuilding needs and priorities of South Sudan, underscores the benefits of close and full cooperation between the parties in order to avoid duplication of effort and to ensure that those that hold a comparative advantage are tasked according to that advantage, and requests the Special Representative of the Secretary-General to continue to represent the United Nations system in relevant international assistance mechanisms and processes;

26. *Encourages* the Secretary-General to explore ideas from the independent report of the Senior Advisory Group on civilian capacity in the aftermath of conflict[295] that could be implemented in South Sudan;

27. *Requests* the Secretary-General, in particular, to utilize to the greatest extent possible opportunities for co-location of appropriate Mission components with South Sudan counterparts in the interest of building national capacity, and to seek opportunities to deliver early peace dividends by utilizing local procurement and otherwise enhancing, to the extent possible, the contribution of the Mission to the economy;

28. *Also requests* the Secretary-General to continue the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

29. *Reaffirms* the importance of appropriate gender expertise and training in missions mandated by the Council in accordance with resolutions 1325 (2000) and 1820 (2008), recalls the need to address violence against women and girls as a tool of warfare, looks forward to the appointment of women's protection advisers in accordance with resolutions 1888 (2009), 1889 (2009) and 1960 (2010), requests the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution 1888 (2009), as appropriate, and encourages the Mission as well as the Government of South Sudan to actively address these issues;

30. *Requests* the Secretary-General to consider HIV-related needs of people living with, affected by and vulnerable to HIV, including women and girls, when fulfilling mandated tasks, and in this context encourages the incorporation, as appropriate, of HIV prevention, treatment, care and support, including voluntary and confidential counselling and testing programmes in the Mission;

31. *Welcomes* the conclusion of the status-of-forces agreement with the Government of South Sudan, and calls upon the host Government to comply with its obligations in this regard;

32. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6800th meeting.

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[296] S/2012/486.

Decisions

At its 6813th meeting, on 24 July 2012, the Security Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2012/548)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Joint African Union-United Nations Special Representative for Darfur.

At its 6819th meeting, on 31 July 2012, the Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2012/548)".

Resolution 2063 (2012)
of 31 July 2012

The Security Council,

Reaffirming all its previous resolutions and the statements by its President concerning the situation in the Sudan, and underlining the importance of full compliance with them,

Reaffirming also its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and its determination to work with the Government of the Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in the Sudan,

Recalling the importance of the principles of the peaceful settlement of international disputes, good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Recalling also its previous resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[297] its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolution 1325 (2000) of 31 October 2000 and associated resolutions on women and peace and security and children and armed conflict,

Recalling further its resolutions reaffirming that there can be no peace without justice, and recalling the importance that the Security Council attaches to ending impunity and to ensuring justice for crimes committed in Darfur, expressing concern at the lack of progress made so far in the work of the Special Prosecutor for Darfur appointed by the Government of the Sudan, and noting the appointment of a new Special Prosecutor,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951[298] and the Protocol thereto, of 31 January 1967,[299] along with the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969,[300] as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 23 October 2009,

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[297] See General Assembly resolution 60/1.

[298] United Nations, *Treaty Series*, vol. 189, No. 2545.

[299] Ibid., vol. 606, No. 8791.

Recalling the report of the Secretary-General of 5 July 2011 on children and armed conflict in the Sudan,[291] including the recommendations contained therein,

Welcoming the Doha Document for Peace in Darfur[279] as an important step forward in the African Union-United Nations Darfur peace process, expressing its strong commitment and determination to support the peace process, welcoming initial progress but deploring the serious delays in the implementation of the Doha Document, urging the Government of the Sudan and the Liberation and Justice Movement to accelerate the implementation of the Doha Document in order to deliver real benefits for the Darfuri people, and encouraging the international community to assist the signatories in this regard, deploring also the fact that some armed groups have refused to join the process and are impeding implementation of the Doha Document and strongly urging them to support the process, condemning any actions by any armed group aimed at the forced overthrow of the Government, and strongly urging the Government and all the armed groups, including the Sudan Liberation Army, Abdul Wahid faction, the Sudan Liberation Army, Minni Minawi faction, and the Justice and Equality Movement, to make every effort to reach a comprehensive peace settlement on the basis of the Doha Document and to agree upon a permanent ceasefire without further delay or preconditions,

Underlining, without prejudice to the primary responsibility of the Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan, and welcoming, in particular, the efforts of the African Union High-level Implementation Panel under the leadership of President Thabo Mbeki, working in cooperation with the African Union-United Nations Hybrid Operation in Darfur, to address in a comprehensive and inclusive manner the challenges of peace, justice and reconciliation in Darfur,

Welcoming the report of the Secretary-General of 16 July 2012 on the African Union-United Nations Hybrid Operation in Darfur,[301]

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, with a view to enhancing the effectiveness of peacekeeping missions, encouraging the full implementation by the African Union-United Nations Hybrid Operation in Darfur of its Chapter VII mandate, underlining in this regard the importance of the Operation deterring any threats to the implementation of its mandate and the safety and security of its peacekeeping personnel in accordance with the Charter, and noting the need to raise the operational and self-sustainment capabilities of military and police contingents to the agreed levels,

Expressing deep concern at the increased violence and insecurity in some parts of Darfur in recent months and at confrontations between the Government of the Sudan and the armed groups, expressing deep concern that such clashes, including attacks by rebel groups and aerial bombardment by the Government, inter-tribal fighting, banditry and criminality, continue to threaten civilians and that attacks on humanitarian personnel and peacekeepers continue to restrict humanitarian access to conflict areas where vulnerable civilian populations reside, while noting the observation of the Secretary-General that the security situation in Darfur has improved since the deployment of the African Union-United Nations Hybrid Operation in Darfur, and calling upon all parties to cease hostilities, including all acts of violence committed against civilians, and urgently facilitate unhindered humanitarian access in accordance with international law, including applicable international humanitarian law and guiding principles of humanitarian assistance,

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[300] Ibid., vol. 1001, No. 14691.

[301] S/2012/548.

Recalling the commitments made by the Government of the Sudan and the Liberation and Justice Movement in the Doha Document for Peace in Darfur to ensure the unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control, as well as to guarantee the African Union-United Nations Hybrid Operation in Darfur unimpeded freedom of movement in all areas and at all times in Darfur in the exercise of its mandate,

Welcoming the potentially encouraging trend of voluntary returns of internally displaced persons and refugees to their villages and places of origin, which were, according to the figures available to the Secretary-General, greater than new displacements in recent months, but expressing deep concern that new displacements continue to occur and at the fact that approximately two million internally displaced persons and refugees remain displaced, recognizing that some displaced will settle permanently in urban areas, but underlining the need to ensure security in areas of return,

Expressing its concern about the hostilities between the Government of the Sudan and the Sudan Liberation Army, Abdul Wahid faction, the Sudan Liberation Army, Minni Minawi faction, and the Justice and Equality Movement, and reiterating that there can be no military solution to the conflict in Darfur and that an inclusive political settlement is essential to re-establishing peace,

Expressing its concern also about reported links between non-signatory armed groups in Darfur and groups outside Darfur, and demanding that any form of direct or indirect external support for such groups cease,

Reiterating its condemnation of all violations of international human rights and humanitarian law in Darfur and in relation to Darfur, calling upon all parties to comply with their obligations under international human rights and humanitarian law, emphasizing the need to bring to justice the perpetrators of such crimes, and urging the Government of the Sudan to comply with its obligations in this respect,

Reaffirming its concern over the negative effect of ongoing violence in Darfur on the stability of the Sudan as a whole as well as the region, welcoming improved relations between the Sudan and Chad, as well as the deployment of a joint force, including forces from the Central African Republic under a joint command along the border, and encouraging the Sudan, Chad and the Central African Republic to continue to cooperate in order to achieve peace and stability in Darfur and the wider region,

Determining that the situation in the Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur, as set out in resolution 1769 (2007) of 31 July 2007, for a further twelve months, until 31 July 2013;

2. *Takes note* of the conclusion of the review by the Secretary-General, conducted in consultation with the African Union, that the uniformed personnel of the African Union-United Nations Hybrid Operation in Darfur should be reconfigured to focus on the areas in Darfur with the highest security threats, calls upon the Secretary-General to implement the results of the review, as set out in paragraphs 69 to 81 of his report of 17 April 2012[302] and paragraph 80 of his report of 16 July 2012,[301] and therefore decides that, over a period of twelve to eighteen months, the uniformed personnel of the Operation will be reconfigured so that the Operation shall consist of up to 16,200 military personnel, 2,310 police personnel and 17 formed police units of up to 140 personnel each;

3. *Underlines* the need for the African Union-United Nations Hybrid Operation in Darfur to make full use of its mandate and capabilities, giving priority in decisions about the

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[302] S/2012/231.

use of available capacity and resources to (*a*) the protection of civilians across Darfur, including through the implementation of a mission-wide early warning strategy; proactive military deployment and increased patrols in areas at high risk of conflict; securing, through increased police patrols, internally displaced persons camps, adjacent areas and areas of return; and supporting the development and training of community policing for internally displaced persons camps and areas of return; and (*b*) ensuring safe, timely and unhindered humanitarian access and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests the Operation to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives;

4. *Emphasizes* the Chapter VII mandate of the African Union-United Nations Hybrid Operation in Darfur, as defined in resolution 1769 (2007), to deliver its core tasks to protect civilians without prejudice to the primary responsibility of the Government of the Sudan and to ensure the freedom of movement and security of the Operation's own personnel and humanitarian workers; urges the Operation to deter any threats against itself and its mandate; and notes the observation in the report of the Secretary-General that it is important to ensure that contingents are properly prepared and effectively equipped to be able to carry out the mandate of the Operation;

5. *Welcomes* the framework for African Union and United Nations facilitation of the Darfur peace process[303] and the priority given to the efforts of the African Union-United Nations Hybrid Operation in Darfur, in coordination with the United Nations country team, to support this framework in accordance with paragraphs 6, 7 and 8 below, and welcomes the efforts of the African Union High-level Implementation Panel in this regard;

6. *Urges* the Government of the Sudan and the Liberation and Justice Movement to implement the Doha Document for Peace in Darfur[279] in full, including by ensuring that the Darfur Regional Authority, the National Human Rights Commission and the Office of the Special Prosecutor for Darfur, whose establishment by the signatory parties in accordance with the Doha Document is welcome, are resourced and empowered to carry out their mandates, and demands that the non-signatory armed groups refrain from impeding the implementation of the Doha Document; requests the African Union-United Nations Hybrid Operation in Darfur to support the implementation of the Doha Document by working closely with the United Nations country team on disarmament, demobilization and reintegration and building the capacity of the police, justice and corrections sectors; and requests the Operation and the United Nations country team to develop an Integrated Strategic Framework for United Nations system-wide support to the Doha Document based on a clear division of labour and taking into account the Darfur Joint Assessment Mission, and requests the Secretary-General to present the Framework to the Security Council in his next ninety-day report;

7. *Demands* that all parties to the conflict, including, in particular, all the non-signatory armed groups, engage immediately and without preconditions to make every effort to reach a permanent ceasefire and a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur, in order to bring a stable and durable peace to the region;

8. *Reaffirms its support* for a Darfur-based internal dialogue that takes place in an environment of respect for the civil and political rights of participants, including women, such that they can exercise their views without fear of retribution; freedom of speech and assembly to permit open consultations; freedom of movement of participants and the African Union-United Nations Hybrid Operation in Darfur; proportional participation among Darfurians; freedom from harassment, arbitrary arrest and intimidation; and freedom from interference by the Government

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[303] See S/2012/166.

of the Sudan or the armed groups; calls upon the Government and the armed groups to ensure the enabling environment necessary for such a dialogue; requests the Operation to support and monitor the development of such a dialogue; requests the Secretary-General, in his regular reports, referred to in paragraph 12 below, to report any security incidents, threats, violations of the participants' freedoms or instances of interference; and calls upon the signatories to the Doha Document for Peace in Darfur to heed the results of the internal dialogue process and to respond in the context of implementation of the Doha Document to the wants and needs of the people expressed through such a process;

9. *Commends* the troop- and police-contributing countries of the African Union-United Nations Hybrid Operation in Darfur, strongly condemns all attacks on the Operation, underlines that any attack or threat of attack on the Operation is unacceptable, demands that there be no recurrence of such attacks, stresses the need to enhance the safety and security of personnel of the Operation as well as the need to put an end to impunity for those who attack peacekeepers, and in this regard urges the Government of the Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

10. *Also commends* the credible work of the Tripartite Mechanism but expresses deep concern at increased restrictions and bureaucratic impediments placed by the Government of the Sudan upon the movement and operations of the African Union-United Nations Hybrid Operation in Darfur, particularly to areas of recent conflict; calls upon all parties in Darfur to remove all obstacles to the full and proper discharge by the Operation of its mandate, including by ensuring its security and freedom of movement; and in this regard demands that the Government comply with the status-of-forces agreement fully and without delay, particularly regarding the movement of patrols, flight and equipment clearances, the removal of all obstacles to the use of aerial assets of the Operation and the timely provision of visas for Operation personnel; deplores the continued delays in the provision of such visas, which threaten seriously to undermine the ability of the Operation to implement its mandate; and demands that the Government respect the rights of Operation personnel under the status-of-forces agreement;

11. *Reiterates its demand* that the African Union-United Nations Hybrid Operation in Darfur be given a licence for its own radio transmitter, in line with the provisions of the status-of-forces agreement, so that it can communicate freely with all Darfuri stakeholders;

12. *Requests* the Secretary-General to continue reporting to the Council every ninety days on progress in the implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur, including the operational and self-sustainment capabilities of troop and police contingents, as well as on progress on the political track, the security and humanitarian situation, including in the internally displaced persons sites and refugee camps, the actions of all parties with respect to the provisions of the present resolution, human rights, violations of international humanitarian and human rights law, early recovery and on all restrictions and bureaucratic impediments to the freedom of movement of the Operation; and requests the Secretary-General, after consultation with the African Union, to submit in his next ninety-day report updated benchmarks and indicators for the Operation and to include in his regular reports to the Council every ninety days thereafter an assessment of progress towards and obstacles to the achievement of these benchmarks, so that the Council may assess progress made by the Operation in implementing its mandate, as well as the cooperation of the Government of the Sudan and the armed groups with the Operation and compliance by all parties with their international obligations;

13. *Demands* that all parties to the conflict in Darfur immediately end violence and attacks on civilians, peacekeepers and humanitarian personnel and comply with their obligations under international human rights and humanitarian law; affirms in this context the condemnation of the Council of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; and underlines the need for the African

Union-United Nations Hybrid Operation in Darfur to report on major instances of violence which undermine the full and constructive efforts of the parties towards peace;

14. While noting that the overall humanitarian situation in Darfur has not deteriorated, *expresses its serious concern* at the fact that it has not improved and at the threats to humanitarian organizations that persist and the increased restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of the Sudan; calls for the full implementation of the joint communiqué between the Government and the United Nations on facilitation of humanitarian activities in Darfur, including regarding the timely issuance of visas and travel permits for humanitarian organizations; and demands that the Government, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need, and underscores the importance of upholding the principles of humanity, neutrality, impartiality and independence in the provision of humanitarian assistance;

15. *Condemns* human rights violations and abuses in and relating to Darfur, including arbitrary arrests and detentions, expresses deep concern about the situation of all those so detained, including members of civil society and internally displaced persons, and emphasizes the importance of ensuring the ability of the African Union-United Nations Hybrid Operation in Darfur, within its current mandate, and of other relevant organizations to monitor such cases, calls upon the Government of the Sudan fully to respect its obligations, including by fulfilling its commitment to lift the state of emergency in Darfur, releasing all political prisoners, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated, emphasizes the importance of the Operation acting to promote human rights and bringing abuses and violations to the attention of the authorities, and requests the Secretary-General to report on all the human rights issues identified in the present resolution in his regular reports to the Council and to promptly report gross violations and abuses to the Council;

16. *Notes* that conflict in one area of the Sudan affects other areas of the Sudan and the wider region, and urges close coordination among United Nations missions in the region, including the African Union-United Nations Hybrid Operation in Darfur, the United Nations Interim Security Force for Abyei and the United Nations Mission in South Sudan, and requests the Secretary-General to ensure effective inter-mission cooperation;

17. *Also notes* the request contained in paragraph 19 of resolution 2057 (2012) of 5 July 2012 related to the regional threat of the Lord's Resistance Army, and encourages the African Union-United Nations Hybrid Operation in Darfur, within existing capacities and consistent with its mandate, to cooperate and share information in this regard;

18. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons and of ensuring their full participation in the planning and management of these solutions, demands that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, informed, safe, dignified and sustainable return of refugees and internally displaced persons or their local integration, welcomes the potentially encouraging trend of voluntary returns of internally displaced persons and refugees to their villages and places of origin, which were, according to the figures available to the Secretary-General, greater than new displacements in recent months, but expresses deep concern that new displacements continue to occur and at the fact that approximately two million internally displaced persons and refugees remain displaced, stresses the importance of the Joint Verification Mechanism in verifying the extent to which these returns are voluntary and informed in nature, and expresses deep concern over some bureaucratic obstacles that undermine its effectiveness and independence;

19. *Notes* that security and freedom of movement will greatly facilitate recovery initiatives and a return to normalcy in Darfur; stresses the importance of early recovery efforts in Darfur when such interventions are suitable, and in this respect encourages the African Union-United Nations Hybrid Operation in Darfur, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on recovery and reconstruction in Darfur, inter alia, through the provision of area security; and calls upon all parties to provide unhindered access and upon the Government of the Sudan to lift all access restrictions, to work to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity;

20. *Expresses deep concern* over the persistent localized conflicts, increased criminality and violence and their effect on civilians, but in this context notes a reduction in inter-tribal clashes and calls upon all parties to put an end to such clashes and to pursue reconciliation; expresses deep concern over the proliferation of arms, in particular small arms and light weapons, and in this regard requests the African Union-United Nations Hybrid Operation in Darfur to continue to support local conflict resolution mechanisms, and authorizes the African Union-United Nations Joint Chief Mediator for Darfur to conduct local mediation and reconciliation efforts between communities and armed groups in Darfur; and further requests the Operation to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution 1769 (2007), and in this context to continue to cooperate with the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) of 29 March 2005 in order to facilitate its work;

21. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008) of 19 June 2008; and requests the African Union-United Nations Hybrid Operation in Darfur to report on sexual and gender-based violence as well as to assess progress towards the elimination of sexual and gender-based violence, and further emphasizes the need to include protection for women and children from sexual violence and gender-based violence as part of the mission-wide protection of civilians strategy identified in paragraph 3 above, and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 are implemented by the Operation, including supporting the participation of women through the appointment of women's protection advisers, and to include information on this in his reporting to the Council;

22. *Requests* the Secretary-General to ensure (*a*) continued monitoring and reporting, as part of the reports referred to in paragraph 12 above, of the situation of children, including close cooperation with child protection actors, and (*b*) continued dialogue with the parties to the conflict towards the development and implementation of time-bound action plans to end the recruitment and use of child soldiers and other violations of international humanitarian law and human rights law against children;

23. *Also requests* the Secretary-General periodically to review and update the concept of operations and rules of engagement of the African Union-United Nations Hybrid Operation in Darfur in line with the mandate of the Operation under relevant Council resolutions and to report on this, as part of the reports referred to in paragraph 12 above, to the Council and troop-contributing countries;

24. *Decides* to remain seized of the matter.

Adopted at the 6819th meeting
by 14 votes to none, with 1 abstention
(Azerbaijan)

POST-CONFLICT PEACEBUILDING[304]

Decisions

At its 6643rd meeting, on 31 October 2011, the Security Council considered the item entitled "Post-conflict peacebuilding".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Judy Cheng-Hopkins, Assistant Secretary-General for Peacebuilding Support, and Ms. Sylvie Lucas, Permanent Representative of Luxembourg to the United Nations and Chair of the Guinea configuration of the Peacebuilding Commission.

On 21 February 2012, the President of the Security Council addressed the following letter to the Secretary-General:[305]

> "I have the honour to refer to Security Council resolution 1646 (2005), adopted on 20 December 2005, in which the Council, in keeping with its resolution 1645 (2005), adopted on the same date, decided that the permanent members listed in Article 23, paragraph 1, of the Charter of the United Nations should be members of the Organizational Committee of the Peacebuilding Commission and that, in addition, the Council should annually select two of its elected members to participate in the Organizational Committee.
>
> "I therefore have the honour to inform you that, following informal consultations, the members of the Council agreed on the selection of Colombia and Morocco as the two elected members of the Council to participate in the Organizational Committee for a term of one year, until the end of 2012."

At its 6805th meeting, on 12 July 2012, the Council decided to invite the representatives of Argentina, Armenia, Australia, Belgium, Brazil, Burundi, Canada, Chile, Croatia, Egypt, Indonesia, Ireland, Japan, Liberia, Luxembourg, Malaysia, Mexico, Nepal, New Zealand, Nigeria, Norway, the Republic of Korea, Sierra Leone, South Sudan, the Sudan, Sweden, Switzerland and Tunisia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Post-conflict peacebuilding

> "Report of the Peacebuilding Commission on its fifth session (S/2012/70)
>
> "Note verbale dated 2 July 2012 from the Permanent Mission of Colombia to the United Nations addressed to the Secretary-General (S/2012/511)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Eugène-Richard Gasana, Permanent Representative of Rwanda to the United Nations and former Chair of the Peacebuilding Commission, and Mr. Abulkalam Abdul Momen, Permanent Representative of Bangladesh to the United Nations and Chair of the Peacebuilding Commission.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Joachim von Amsberg, Vice-President and Head of Network Operations, Policy and Country Services of the World Bank.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

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[304] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

[305] S/2012/103.

THE SITUATION CONCERNING IRAQ[106]

Decisions

On 8 August 2011, the President of the Security Council addressed the following letter to the Secretary-General:[107]

> "I have the honour to inform you that your letter dated 4 August 2011 concerning your intention to appoint Mr. Martin Kobler, of Germany, as your Special Representative for Iraq and Head of the United Nations Assistance Mission for Iraq[108] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6675th meeting, on 6 December 2011, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> "First report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011) (S/2011/736)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Martin Kobler, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6747th meeting, on 10 April 2012, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> "Second report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/185)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Martin Kobler, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6811th meeting, on 19 July 2012, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> "Third report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/535)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Martin Kobler, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6815th meeting, on 25 July 2012, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> "Third report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/535)".

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[106] Resolutions or decisions on this question were first adopted by the Security Council in 2005

[107] S/2011/503

[108] S/2011/502

Resolution 2061 (2012)
of 25 July 2012

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, 1619 (2005) of 11 August 2005, 1700 (2006) of 10 August 2006, 1770 (2007) of 10 August 2007, 1830 (2008) of 7 August 2008, 1883 (2009) of 7 August 2009, 1936 (2010) of 5 August 2010 and 2001 (2011) of 28 July 2011,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Emphasizing the importance of the stability and security of Iraq for the people of Iraq, the region and the international community,

Encouraging the Government of Iraq to continue strengthening democracy and the rule of law, improving security and public order and combating terrorism and sectarian violence across the country, and reiterating its support for the people and Government of Iraq in their efforts to build a secure, stable, federal, united and democratic nation, based on the rule of law and respect for human rights,

Welcoming improvements in the security situation in Iraq achieved through concerted political and security efforts, and stressing that challenges to security in Iraq still exist and that improvements need to be sustained through meaningful political dialogue and national unity,

Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to ensure stability and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity,

Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq, in advising, supporting and assisting the Iraqi people, including civil society, and the Government of Iraq to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation according to the Constitution, facilitate regional dialogue, develop processes acceptable to the Government to resolve disputed internal boundaries, aid youth and vulnerable groups, including refugees and internally displaced persons, promote the protection of human rights, gender equality, youth and vulnerable groups, and promote judicial and legal reform, and emphasizing the importance of the United Nations, in particular the Mission, prioritizing advice, support and assistance to the Iraqi people, including civil society, and the Government to achieve these goals,

Urging the Government of Iraq to continue to promote and protect human rights and also to consider additional steps to support the Independent High Commission for Human Rights in carrying out its mandate,

Recognizing the efforts of the Government of Iraq in the promotion and protection of the human rights of women, reaffirming its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security, and reiterating the need for the full, equal and effective participation of women, reaffirming the key role that women can play in re-establishing the fabric of society, and stressing the need for their full political participation, including in the development of national strategies in order to take into account their perspectives,

Expressing the importance of addressing humanitarian issues confronting the Iraqi people, and stressing the need to continue to form a coordinated response and to provide adequate resources to address these issues, *Underscoring* the sovereignty of the Government of Iraq, reaffirming that all parties should continue to take all feasible steps and to develop modalities to ensure the protection of affected civilians, including children, women and members of religious and ethnic minority groups, and should create conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons or local integration of internally displaced persons, welcoming commitments and encouraging continued efforts of the Government for the relief of internally displaced persons, refugees and returnees, and noting the important role of the Office of the United Nations High Commissioner for Refugees, based on its mandate, in providing continued advice and support to the Government, in coordination with the Mission, on these issues,

Urging all those concerned, as set forth in international humanitarian law, including the Geneva Conventions of 1949[309] and the Regulations annexed to the Hague Convention IV of 1907,[310] to allow full unimpeded access by humanitarian personnel to all people in need of assistance and to make available, as far as possible, all facilities necessary for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and associated personnel and their assets,

Welcoming the important progress that Iraq has made towards regaining the international standing it held prior to the adoption of resolution 661 (1990) on 6 August 1990, calling upon the Government of Iraq to continue ongoing cooperation with the Government of Kuwait to address outstanding issues and to meet its outstanding obligations under the relevant Chapter VII Security Council resolutions pertaining to the situation between Iraq and Kuwait, and underscoring the importance of finalizing the ratification of the Additional Protocol to its comprehensive safeguards agreement,[311]

Recognizing the recent positive developments in bilateral relations between Iraq and Kuwait, particularly in the light of the visit by the Prime Minister of Iraq, Mr. Nuri al-Maliki, to Kuwait and the visit by the Emir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, to Baghdad for the League of Arab States summit, as well as the positive outcome of the second meeting of the Joint Iraq-Kuwait Ministerial Committee, and calling upon both States to continue to act in a spirit that builds further confidence and cooperation, which should contribute to the strengthening of their good-neighbourly relations and enhancing regional stability,

Expressing deep gratitude to all the United Nations staff in Iraq for their courageous and tireless efforts, and commending the leadership of the Special Representative of the Secretary-General for Iraq, Mr. Martin Kobler,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq for a period of twelve months;

2. *Decides also* that the Special Representative of the Secretary-General for Iraq and the Mission, at the request of the Government of Iraq, and taking into account the letter dated 28 June 2012 from the Minister for Foreign Affairs of Iraq to the Secretary-General,[312] shall continue to pursue their mandate as stipulated in resolution 2001 (2011);

3. *Recognizes* that security of United Nations personnel is essential for the Mission to carry out its work for the benefit of the people of Iraq, and calls upon the Government of Iraq to continue to provide security and logistical support to the United Nations presence in Iraq;

4. *Welcomes* the contributions of Member States in providing the Mission with the financial, logistical and security resources and support that it needs to fulfil its mission, and calls upon Member States to continue to provide the Mission with sufficient resources and support;

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[309] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[310] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[311] International Atomic Energy Agency, document INFCIRC/172/Add.2.

[312] S/2012/520, annex.

5. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Security Council every four months on the progress made towards the fulfilment of all the responsibilities of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 6815th meeting.

THREATS TO INTERNATIONAL PEACE AND SECURITY[313]

Decisions

At its 6760th meeting, on 25 April 2012, the Security Council decided to invite the representatives of Argentina, Armenia, Australia, Belarus, Botswana, Brazil, Costa Rica, Cuba, Indonesia, Iran (Islamic Republic of), Israel, Jamaica, Japan, Libya, New Zealand, Norway, the Republic of Korea, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Threats to international peace and security

> "Securing borders against illicit cross-border trafficking and movement
>
> "Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (S/2012/195)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, and Mr. Téte António, Permanent Observer of the African Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[314]

> "The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.
>
> "The Council acknowledges the evolving challenges and threats to international peace and security, including armed conflicts, terrorism, the proliferation of weapons of mass destruction and small arms and light weapons, transnational organized crime, piracy and drug and human trafficking. The Council has addressed, when appropriate, related to these challenges and threats, illicit cross-border trafficking in arms, drug trafficking, trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials, trafficking in conflict minerals and the movement of terrorists and their funds, in violation of United Nations sanctions regimes imposed by the Council in accordance with Chapter VII of the Charter and other decisions taken under Chapter VII, in particular resolutions 1373 (2001) and 1540 (2004) as well as its other relevant decisions (hereinafter 'illicit cross-border trafficking and movement'). The Council is concerned that

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[313] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

[314] S/PRST/2012/16.

such illicit cross-border trafficking and movement contributes to these challenges and threats. The Council recognizes that such illicit cross-border trafficking and movement often involves cross-cutting issues, many of which are considered by the General Assembly and other United Nations organs and bodies.

"The Council notes relevant international conventions such as the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[315] the Convention on Psychotropic Substances of 1971,[316] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[317] the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto,[318] the United Nations Convention against Corruption of 2003[319] and the relevant international conventions and protocols related to terrorism. The Council recalls the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[320] as well as the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons[321] and the United Nations Global Plan of Action to Combat Trafficking in Persons.[322]

"The Council reaffirms the benefits of transborder communication, international exchange and international migration. The Council notes, however, that the various challenges and threats to international peace and security posed by illicit cross-border trafficking and movement have increased as the world has become more interconnected. The Council notes that, in a globalized society, organized criminal groups and networks, better equipped with new information and communications technologies, are becoming more diversified and connected in their illicit operations, which in some cases may aggravate threats to international security.

"The Council reaffirms that securing their borders is the sovereign prerogative of Member States and, in this context, reaffirms its commitment to the purposes and principles of the Charter, including the principles of sovereign equality and territorial integrity. The Council calls upon all Member States to improve border management to effectively constrain the spread of transnational threats. The Council reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and shall also give the United Nations every assistance in any action it takes in accordance with the Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

"The Council acknowledges that distinct strategies are required to address threats posed by illicit cross-border trafficking and movement. Nevertheless, the Council observes that illicit cross-border trafficking and movement is often facilitated by organized criminal groups and networks. The Council further notes that such illicit cross-border trafficking and movement, which in some cases exploits similar vulnerabilities experienced by Member States in securing their borders, can be addressed by improving the abilities of Member States to secure their borders. The Council further acknowledges the importance of adopting a comprehensive and balanced approach, as necessary, to tackle the conditions conducive to facilitating illicit cross-border trafficking and movement, including demand and supply factors, and underlines the importance of international cooperation in this regard.

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[315] United Nations, *Treaty Series*, vol. 976, No. 14152.

[316] Ibid., vol. 1019, No. 14956.

[317] Ibid., vol. 1582, No. 27627.

[318] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[319] Ibid., vol. 2349, No. 42146.

[320] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[321] A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

[322] General Assembly resolution 64/293.

"The Council calls upon Member States to fully comply with relevant obligations under applicable international law, including human rights and international refugee and humanitarian law, relating to securing their borders against illicit cross-border trafficking and movement, including obligations stemming from relevant resolutions of the Council adopted under Chapter VII of the Charter. The Council calls upon all Member States to fully respect and implement all of their relevant international obligations in this regard.

"The Council encourages Member States and relevant organizations to enhance cooperation and strategies, as appropriate, to combat such illicit cross-border trafficking and movement.

"The Council encourages Member States, as well as international organizations and relevant regional and subregional organizations, within existing mandates, as appropriate, to enhance efforts to assist Member States to build the capacity to secure their borders against illicit cross-border trafficking and movement, upon request and by mutual agreement, in accordance with international law. The Council commends the substantial efforts already under way in this field.

"The Council observes that several United Nations entities, including subsidiary organs of the Council, already offer such assistance. The Council acknowledges the importance of coherent, system-wide United Nations action, in order to offer coordinated responses to transnational threats, including through the use of best practices and exchange of positive experiences from relevant initiatives elsewhere, such as the Paris Pact initiative.[323]

"The Council invites the Secretary-General to submit in six months a report providing a comprehensive survey and assessment of the relevant work of the United Nations to help Member States to counter illicit cross-border trafficking and movement, as defined in the second paragraph above."

NON-PROLIFERATION[324]

Decisions

At its 6607th meeting, on 7 September 2011, the Security Council considered the item entitled:

"Non-proliferation

"Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At its 6697th meeting, on 21 December 2011, the Council considered the item discussed at the 6607th meeting.

At its 6737th meeting, on 21 March 2012, the Council also considered the item discussed at the 6607th meeting.

At its 6781st meeting, on 7 June 2012, the Council considered the item entitled "Non-proliferation".

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[323] See S/2003/641, annex.

[324] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

Resolution 2049 (2012)
of 7 June 2012

The Security Council,

Recalling its previous relevant resolutions, including resolutions 1696 (2006) of 31 July 2006, 1737 (2006) of 23 December 2006, 1747 (2007) of 24 March 2007, 1803 (2008) of 3 March 2008, 1835 (2008) of 27 September 2008, 1887 (2009) of 24 September 2009, 1929 (2010) of 9 June 2010 and 1984 (2011) of 9 June 2011, as well as the statement by its President of 29 March 2006,[325] and reaffirming their provisions,

Recalling also the creation, pursuant to paragraph 29 of resolution 1929 (2010), of the Panel of Experts on the Islamic Republic of Iran, under the direction of the Security Council Committee established pursuant to resolution 1737 (2006), to carry out the tasks provided for in that paragraph,

Recalling further the interim report of 9 November 2011 of the Panel of Experts appointed by the Secretary-General pursuant to paragraph 29 of resolution 1929 (2010), and the final report of the Panel, of 9 May 2012,[326]

Recalling the methodological standards for reports of sanctions monitoring mechanisms contained in the report of the Informal Working Group of the Security Council on General Issues of Sanctions,[327]

Emphasizing, in that regard, the importance of credible, fact-based, independent assessments, analysis and recommendations, in accordance with the mandate of the Panel of Experts, as specified in paragraph 29 of resolution 1929 (2010),

Determining that the proliferation of weapons of mass destruction, as well as their means of delivery, continues to constitute a threat to international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 9 July 2013 the mandate of the Panel of Experts on the Islamic Republic of Iran, as specified in paragraph 29 of resolution 1929 (2010), expresses its intent to review the mandate and take appropriate action regarding further extension no later than 9 June 2013, and requests the Secretary-General to take the necessary administrative measures to this effect;

2. *Requests* the Panel of Experts to provide to the Security Council Committee established pursuant to resolution 1737 (2006), no later than 9 November 2012, a midterm report on its work, and requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 9 December 2012, and also requests a final report to the Committee, no later than thirty days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report upon termination of the mandate of the Panel;

3. *Also requests* the Panel of Experts to provide to the Committee a planned programme of work no later than thirty days after the reappointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work and to engage regularly with the Panel about its work, and further requests the Panel to provide to the Committee any updates to this programme of work;

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[325] S/PRST/2006/15.

[326] See S/2012/395, annex.

[327] See S/2006/997, annex.

4. *Expresses its intent* to continue to follow the work of the Panel of Experts;

5. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010);

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6781st meeting.

Decision

At its 6786th meeting, on 12 June 2012, the Security Council considered the item entitled:

"Non-proliferation

> "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

PEACE CONSOLIDATION IN WEST AFRICA[128]

A. General issues

Decisions

At its 6703rd meeting, on 16 January 2012, the Security Council considered the item entitled:

"Peace consolidation in West Africa

> "Report of the Secretary-General on the activities of the United Nations Office for West Africa (S/2011/811)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Special Representative of the Secretary-General for West Africa and Head of the United Nations Office for West Africa.

At its 6804th meeting, on 11 July 2012, the Council considered the item entitled:

"Peace consolidation in West Africa

> "Report of the Secretary-General on the activities of the United Nations Office for West Africa (S/2012/510)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Special Representative of the Secretary-General for West Africa and Head of the United Nations Office for West Africa, and Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime.

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[128] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

B. Piracy in the Gulf of Guinea

Decisions

At its 6723rd meeting, on 27 February 2012, the Security Council decided to invite the representatives of Benin (Minister of State in charge of National Defence), the Congo and Nigeria to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace consolidation in West Africa

"Piracy in the Gulf of Guinea

"Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Abdel Fatau Musah, Special Representative of the Chairman of the Economic Community of West African States Commission, and Mrs. Florentina Adenike Ukonga, Deputy Executive Secretary of the Gulf of Guinea Commission.

At its 6727th meeting, on 29 February 2012, the Council decided to invite the representative of Benin to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace consolidation in West Africa

"Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)".

Resolution 2039 (2012)
of 29 February 2012

The Security Council,

Recalling its statement to the press of 30 August 2011[329] and its resolution 2018 (2011) of 31 October 2011, on piracy and armed robbery at sea in the Gulf of Guinea,

Expressing its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, security and the economic development of States in the region,

Recognizing that piracy and armed robbery at sea in the Gulf of Guinea affect littoral countries, including their hinterland areas, and landlocked countries in the region,

Expressing its concern about the threat that piracy and armed robbery at sea pose to the safety of seafarers and other persons, including through their being taken as hostages, and deeply concerned by the violence employed by pirates and persons involved in piracy and armed robbery at sea in the Gulf of Guinea,

Affirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[330] in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to countering piracy and armed robbery at sea, as well as other ocean activities,

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[329] SC/10372.

[330] United Nations, *Treaty Series*, vol. 1833, No. 31363.

Affirming its respect for the sovereignty and territorial integrity of the States of the Gulf of Guinea and their neighbours,

Affirming that the provisions of the present resolution apply only with respect to the situation in the Gulf of Guinea,

Recognizing the urgent need to devise and adopt effective and practical measures to counter piracy and armed robbery at sea in the Gulf of Guinea,

Emphasizing the importance of building on existing national, regional and extraregional initiatives to enhance maritime safety and security in the Gulf of Guinea,

Welcoming the initiatives already taken by States in the region and regional organizations, including the Economic Community of Central African States, the Economic Community of West African States, the Gulf of Guinea Commission and the Maritime Organization of West and Central Africa, to enhance maritime safety and security in the Gulf of Guinea,

Noting the Economic Community of Central African States comprehensive joint maritime security architecture to counter piracy in the Central African subregion, including the strategy adopted by the Council for Peace and Security in Central Africa of the Economic Community in February 2008, the establishment of the Regional Centre for Maritime Security in Central Africa in Pointe-Noire, Congo, as well as the multinational coordination centres in the region,

Noting also the preparatory steps taken by the Economic Community of West African States towards developing a maritime security approach through an integrated maritime security strategy and an integrated maritime plan,

Noting further the importance of adopting a comprehensive approach led by the countries of the region to counter the threat of piracy and armed robbery at sea in the Gulf of Guinea and their underlying causes,

Noting the need for international assistance as part of a comprehensive strategy to support national and regional efforts to assist States in the region with their efforts to address piracy and armed robbery at sea in the Gulf of Guinea,

Stressing that the coordination of efforts at the regional level is necessary for the development of a comprehensive strategy to counter the threat of piracy and armed robbery at sea in the Gulf of Guinea, in order to enable the prevention and interdiction of such criminal activities and to ensure that persons engaging in piracy and armed robbery at sea are prosecuted and punished if convicted, with due regard for internationally recognized rules and principles of international law,

Reiterating that States in the region have a leadership role to play in countering the threat and addressing the underlying causes of piracy and armed robbery at sea in the Gulf of Guinea, in close cooperation with organizations in the region and with their partners,

Welcoming the contributions of Member States and international organizations in support of ongoing national and regional efforts to secure Gulf of Guinea coastal areas and conduct naval operations, including the joint patrols carried out by Nigeria and Benin off the coast of Benin, and also welcoming further contributions, upon request,

Expressing its concern about the serious threats to international peace and stability in different regions of the world, in particular in West Africa and the Sahel region, posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea,

Affirming its full commitment to promoting the maintenance of peace and stability in the region of the Gulf of Guinea,

1. *Welcomes* the report of the United Nations assessment mission on piracy in the Gulf of Guinea, which was dispatched to the region from 7 to 24 November 2011;[331]

2. *Encourages* national authorities as well as regional and international partners to consider implementing the recommendations of the assessment mission, as appropriate;

3. *Stresses* the primary responsibility of the States of the Gulf of Guinea to counter piracy and armed robbery at sea in the Gulf of Guinea, and in this context urges them, through the Economic Community of Central African States, the Economic Community of West African States and the Gulf of Guinea Commission, to work towards the convening of the planned joint summit of Gulf of Guinea States to develop a regional anti-piracy strategy, in cooperation with the African Union;

4. *Requests* the Secretary-General, through the United Nations Office for West Africa and the United Nations Regional Office for Central Africa, to support States and subregional organizations in convening the joint summit, as referenced in resolution 2018 (2011), to the extent feasible;

5. *Urges* States of the region of the Gulf of Guinea to take prompt action, at the national and regional levels, with the support of the international community where possible, and by mutual agreement, to develop and implement national maritime security strategies, including for the establishment of a legal framework for the prevention and repression of piracy and armed robbery at sea as well as the prosecution of persons engaging in those crimes and the punishment of those convicted of those crimes, and encourages regional cooperation in this regard;

6. *Encourages* Benin and Nigeria to extend their joint patrols beyond March 2012, while the countries of the Gulf of Guinea continue to work towards building their capacities to independently secure their coastlines, and also encourages international partners to consider providing support, as needed, in that regard and to the extent feasible;

7. *Encourages* the States of the Gulf of Guinea, the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission to develop and implement transnational and transregional maritime security coordination centres covering the whole region of the Gulf of Guinea, building on existing initiatives, such as those taken under the auspices of the International Maritime Organization;

8. *Encourages* international partners to provide support to regional States and organizations for the enhancement of their capabilities to counter piracy and armed robbery at sea in the Gulf of Guinea, including their capacity to conduct regional patrols, to establish and maintain joint coordination centres and joint information-sharing centres, and for the effective implementation of the regional strategy, once adopted;

9. *Requests* the Secretary-General to support efforts towards mobilizing resources following the creation of the regional strategy to assist in building national and regional capacities in close consultation with States and regional and extraregional organizations;

10. *Also requests* the Secretary-General to keep the Security Council regularly informed through the United Nations Office for West Africa and the United Nations Regional Office for Central Africa, on the situation of piracy and armed robbery at sea in the Gulf of Guinea, including on progress made regarding the joint summit as well as progress by the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission in developing a comprehensive strategy to counter piracy and armed robbery at sea;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 6727th meeting

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[331] See S/2012/45

NON-PROLIFERATION/DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA[332]

Decisions

At its 6752nd meeting, on 16 April 2012, the Security Council considered the item entitled "Non-proliferation/Democratic People's Republic of Korea".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[333]

> "The Security Council strongly condemns the launch on 13 April 2012 (local time) by the Democratic People's Republic of Korea.
>
> "The Council underscores that this satellite launch, as well as any launch that uses ballistic missile technology, even if characterized as a satellite launch or space launch vehicle, is a serious violation of Council resolutions 1718 (2006) and 1874 (2009).
>
> "The Council deplores that such a launch has caused grave security concerns in the region.
>
> "The Council demands that the Democratic People's Republic of Korea not proceed with any further launches using ballistic missile technology and comply with resolutions 1718 (2006) and 1874 (2009) by suspending all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches.
>
> "The Council agrees to adjust the measures imposed by paragraph 8 of resolution 1718 (2006), as modified by resolution 1874 (2009). The Council directs the Security Council Committee established pursuant to resolution 1718 (2006) to undertake the following tasks and to report to the Council within fifteen days:
>
> "(*a*) Designate additional entities and items;
>
> "(*b*) Update the information contained in the Committee's list of individuals, entities, and items,[334] and update on an annual basis thereafter;
>
> "(*c*) Update the annual workplan of the Committee.
>
> "The Council further agrees that, if the Committee has not acted pursuant to the above paragraph within fifteen days, then the Council will complete action to adjust these measures within an additional five days.
>
> "The Council demands that the Democratic People's Republic of Korea immediately comply fully with its obligations under resolutions 1718 (2006) and 1874 (2009), including that it abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, immediately cease all related activities, and not conduct any further launches that use ballistic missile technology, nuclear tests or any further provocation.
>
> "The Council calls upon all Member States to implement fully their obligations pursuant to resolutions 1718 (2006) and 1874 (2009).
>
> "The Council expresses its determination to take action accordingly in the event of a further launch or nuclear test by the Democratic People's Republic of Korea."

At its 6783rd meeting, on 12 June 2012, the Council considered the item entitled "Non-proliferation/Democratic People's Republic of Korea".

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[332] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[333] S/PRST/2012/13.

[334] See S/2009/205 and INFCIRC/254/Rev.9/Part 1.

Resolution 2050 (2012)
of 12 June 2012

The Security Council,

Recalling its previous relevant resolutions, including resolutions 825 (1993) of 11 May 1993, 1540 (2004) of 28 April 2004, 1695 (2006) of 15 July 2006, 1718 (2006) of 14 October 2006, 1874 (2009) of 12 June 2009, 1887 (2009) of 24 September 2009, 1928 (2010) of 7 June 2010 and 1985 (2011) of 10 June 2011, as well as the statements by its President of 6 October 2006,[335] 13 April 2009[336] and 16 April 2012,[333]

Recalling also the creation, pursuant to paragraph 26 of resolution 1874 (2009), of the Panel of Experts on the Democratic People's Republic of Korea, under the direction of the Security Council Committee established pursuant to resolution 1718 (2006), to carry out the tasks provided for in that paragraph,

Recalling further the interim report of 12 November 2011 of the Panel of Experts appointed by the Secretary-General pursuant to paragraph 26 of resolution 1874 (2009), and the final report of the Panel of 12 May 2012,[337]

Recalling the methodological standards for reports of sanctions monitoring mechanisms contained in the report of the Informal Working Group of the Security Council on General Issues of Sanctions,[338]

Emphasizing, in that regard, the importance of credible, fact-based, independent assessments, analysis and recommendations, in accordance with the mandate of the Panel of Experts, as specified in paragraph 26 of resolution 1874 (2009),

Determining that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, continues to constitute a threat to international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 12 July 2013 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution 1874 (2009), expresses its intent to review the mandate and take appropriate action regarding further extension no later than 12 June 2013, and requests the Secretary-General to take the necessary administrative measures to this effect;

2. *Requests* the Panel of Experts to provide to the Security Council Committee established pursuant to resolution 1718 (2006), no later than 12 November 2012, a midterm report on its work, and requests that, after a discussion with the Committee, the Panel submit to the Council its midterm report by 12 December 2012, and also requests a final report to the Committee no later than thirty days prior to the termination of the mandate of the Panel, with its findings and recommendations, and further requests that, after a discussion with the Committee, the Panel submit to the Council its final report upon termination of the mandate of the Panel;

3. *Also requests* the Panel of Experts to provide to the Committee a planned programme of work no later than thirty days after the reappointment of the Panel, encourages the Committee to engage in regular discussions about this programme of work and to engage regularly with the Panel about its work, and further requests the Panel to provide to the Committee any updates to this programme of work;

4. *Expresses its intent* to continue to follow the work of the Panel of Experts;

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[335] S/PRST/2006/41.

[336] S/PRST/2009/7.

[337] See S/2012/422.

[338] See S/2006/997, annex.

5. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and with the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1718 (2006) and 1874 (2009);

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6783rd meeting

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY[339]

A. Conflict prevention

Decisions

At its 6621st meeting, on 22 September 2011, the Security Council considered the item entitled:

"Maintenance of international peace and security

"Conflict prevention

"Report of the Secretary-General on preventive diplomacy (S/2011/552)

"Letter dated 12 September 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (S/2011/570)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[340]

> "The Security Council recalls its previous relevant resolutions and the statements by its President on preventive diplomacy, the prevention of armed conflict, and mediation and the peaceful settlement of disputes.
>
> "The Council welcomes the report of the Secretary-General entitled 'Preventive diplomacy: delivering results',[341] and takes note of the recommendations contained therein.
>
> "The Council reaffirms its primary responsibility for the maintenance of international peace and security, acting in accordance with the purposes and principles of the Charter of the United Nations. The Council further expresses its determination to enhance the effectiveness of the United Nations in preventing the eruption of armed conflicts, their escalation or spread when they occur, and their resurgence once they end.
>
> "The Council underlines the overriding political, humanitarian and moral imperatives as well as the economic advantages of preventing the outbreak or escalation of or relapse into conflicts.
>
> "The Council recalls that the prevention of conflict remains a primary responsibility of States, and further recalls their primary responsibility to respect and ensure the human rights of all individuals within their territory and subject to their jurisdiction, as provided for by relevant international law, and also reaffirms the responsibility of each individual State to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity.

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[339] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

[340] S/PRST/2011/18.

[341] S/2011/552.

"The Council reaffirms that actions undertaken within the framework of conflict prevention by the United Nations should support and complement, as appropriate, the conflict prevention roles of national Governments.

"The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, and dispatching representatives, special envoys and mediators, to help to facilitate durable and comprehensive settlements. The Council encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for the purpose of enhancing mediation and its support activities, and recalls in this regard General Assembly resolution 65/283 of 22 June 2011, as well as the report of the Secretary-General of 8 April 2009.[142] The Council further encourages concerned parties to act in good faith when engaging with prevention and mediation efforts, including those undertaken by the United Nations.

"The Council encourages the Secretary-General to continue improving coherence and consolidation within the United Nations system, with a view to maximizing the impact of swift and timely preventive efforts undertaken by the Organization. The Council underlines the importance of the regular briefings it receives on such efforts and further calls upon the Secretary-General to continue this good practice.

"The Council recalls that a comprehensive conflict prevention strategy should include, inter alia, early warning, preventive deployment, mediation, peacekeeping, practical disarmament, accountability measures as well as post-conflict peacebuilding, and recognizes that these components are interdependent, complementary and non-sequential.

"The Council recognizes that conflict prevention strategies should address the root causes of armed conflict, and political and social crises in a comprehensive manner, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, gender equality, end of impunity, the rule of law and respect for and protection of human rights.

"The Council encourages the peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter. The Council acknowledges the efforts undertaken to strengthen operational and institutional cooperation between the United Nations and regional and subregional organizations for conflict prevention, and in this regard reiterates the need to continue strengthening strategic dialogue, partnerships and more regular exchange of views and information at the working level, with the aim of building national and regional capacities in relation to the preventive diplomacy tools of, inter alia, mediation, gathering and analysis of information, early warning, prevention and peacemaking.

"The Council intends to continue to strengthen its partnerships with all other relevant players, both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission and international financial institutions, such as the World Bank. The Security Council further intends to continue to strengthen its partnership with the United Nations regional offices.

"The Council emphasizes that an effective preventive diplomacy framework requires the active involvement of civil society, especially youth, and other relevant actors, such as academia and the media. The Council also reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) and the statements by its President of 13[143] and 26 October 2010.[144]

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[142] S/2009/189.

[143] S/PRST/2010/20.

[144] S/PRST/2010/22.

"The Council recognizes the importance of enhancing efforts, including coordination among relevant bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools, including mediation, throughout the conflict cycle.

"The Council looks forward to further consideration of the report of the Secretary-General entitled 'Preventive diplomacy: Delivering results' by the General Assembly and the Economic and Social Council, as well as other actors, including international financial institutions, and supports strengthening the capacity of the United Nations and its partners in the field of preventive diplomacy."

B. Moving forward with security sector reform: prospects and challenges in Africa

Decisions

At its 6630th meeting, on 12 October 2011, the Security Council decided to invite the representatives of Australia, Canada, Egypt, Finland, Italy, Luxembourg, Morocco, Pakistan, Slovakia, Slovenia and the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Maintenance of international peace and security

"Moving forward with security sector reform: prospects and challenges in Africa

"Letter dated 7 October 2011 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General (S/2011/627)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tête António, Permanent Observer of the African Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[345]

"The Security Council recalls the statements by its President of 20 February 2007[346] and 12 May 2008,[347] and the report of the Secretary-General entitled 'Securing peace and development: the role of the United Nations in supporting security sector reform' of 23 January 2008,[348] and emphasizes that the establishment of an effective, professional and accountable security sector is at the cornerstone of peace and sustainable development. Equally, security sector reform underscores that effectiveness, accountability and good governance are mutually reinforcing elements of security.

"The Council notes that the bulk of the international community's assistance in the area of security sector reform takes place in and is directed to countries in Africa. At the same time, a number of African countries are becoming important providers of such assistance. The Council welcomes this intra-African collaboration and emphasizes that there is a need to expand the consideration given to African perspectives on security sector reform. This includes enhancing cooperation with regional and subregional organizations, as well as sharing knowledge and experience with women and members of civil society. Focusing security sector reform efforts on the needs and priorities of populations in post-conflict countries will considerably enhance the legitimacy, viability and sustainability of such support.

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[345] S/PRST/2011/19

[346] S/PRST/2007/3

[347] S/PRST/2008/14

[348] S/2008/39

"The Council recognizes that security sector reform is a long-term process and reiterates the sovereign right and primary responsibility of the country concerned to determine its national approach and priorities for security sector reform. It should be a nationally owned process that is rooted in the particular needs and conditions of the country in question. The successful coordination of security sector reform efforts must be based on national consensus and driven by political leadership and political will to progress reform. In this regard, the Council underlines the responsibility of States to coordinate security sector reform support, including but not limited to establishing a strategic vision and the parameters for reform, identifying gaps and needs, prioritizing areas for technical support and avoiding duplication of donor efforts.

"The Council encourages reforming States, while taking into account their capacity constraints, to strive to allocate national resources to security sector reform efforts to ensure the long-term sustainability and viability of such reform. In this context, the Council emphasizes the importance of improving women's participation in discussions pertinent to the prevention and resolution of conflict and the maintenance of peace and security, and encourages women to participate in the national armed and security forces in accordance with relevant international law. In this regard, the Council encourages the development of a security sector that is accessible and responsive to all, including women and other vulnerable groups.

"The Council recognizes the importance of regional frameworks as a foundation for multilateral security sector reform efforts. In this regard, the Council welcomes the partnership between the United Nations and the African Union in developing a continental security sector reform policy framework, for its implementation. The Council encourages other regions to consider establishing such partnerships in order to better facilitate the exchange of lessons learned and best practices, as well as develop regional frameworks for security sector reform support, reflecting the participation of regional and subregional organizations. The Council also recognizes the support provided by bilateral actors, as well as regional actors, including the European Union, to security sector reform efforts in Africa and other initiatives in the area of security sector reform in Africa carried out by organizations such as the Economic Community of West African States and the Community of Portuguese-speaking Countries.

"The Council recalls the previous statements by its President concerning the need for early and adequate support in priority areas of peacebuilding, including security sector reform, as well as the importance of security sector reform programmes for conflict prevention. In the light of ongoing conflict in Africa, the Council reiterates the link between security sector reform and socioeconomic development, and underlines that such reform efforts should be situated within the broader and more comprehensive spectrum of peacebuilding. In this regard, the Council emphasizes the important role of the Peacebuilding Commission and the Peacebuilding Fund in supporting security sector reform, including in African countries. The Council encourages the Commission to continue to promote coordination among and between national and external actors involved in security sector reform in the countries on its agenda.

"The Council underlines that United Nations support to security sector reform must take place within a broad framework of the rule of law and should contribute to the overall strengthening of the United Nations rule of law activities as well as wider reconstruction and development efforts. This will require continued coordination with relevant United Nations actors to ensure an increasingly coherent approach. In this context, the Council stresses the need for security sector reform efforts to be cognizant of the issue of impunity.

"The Council notes that peacekeeping has evolved significantly over the past decades from primarily monitoring ceasefires to complex multidimensional operations which seek to undertake peacebuilding tasks and address underlying causes of conflict. In this regard, the Council notes that an increasing number of peacekeeping and special political missions are mandated to support national security sector reform programmes, including those in Africa, through strategic assistance to develop security sector frameworks and capacity-building of the security and law enforcement institutions in key areas, including training in human rights, child protection and protection from sexual and gender-based violence. The Council stresses the need to continue to include, as appropriate, security sector reform aspects as an integral part of the planning of United Nations operations.

"The Council recognizes the important role that the United Nations has played in supporting national efforts to build sustainable security institutions, and commends the efforts of the United Nations, in particular the Department of Peacekeeping Operations of the Secretariat, including the Security Sector Reform Unit and the United Nations Inter-Agency Security Sector Reform Task Force, in further strengthening a comprehensive United Nations approach to security sector reform, through the development of guidance and civilian capacities, coordination mechanisms and collaboration with regional and subregional organizations, in particular the African Union.

"The Council requests the Secretary-General to submit, by early 2013, an assessment of the United Nations support for security sector reform, including those efforts in Africa, and to make recommendations on how best to strengthen the United Nations comprehensive approach to security sector reform, taking into account the linkages between United Nations assistance and conflict prevention and peacebuilding, and also taking into consideration the views of relevant United Nations organs and actors."

C. New challenges to international peace and security and conflict prevention

Decisions

At its 6668th meeting, on 23 November 2011, the Security Council considered the item entitled:

"Maintenance of international peace and security

"New challenges to international peace and security and conflict prevention

"Letter dated 8 November 2011 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (S/2011/698)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime, Mr. António Guterres, United Nations High Commissioner for Refugees, and Ms. Margaret Chan, Director-General of the World Health Organization.

D. Nuclear non-proliferation, disarmament and security

Decisions

At its 6753rd meeting, on 19 April 2012, the Security Council considered the item entitled:

"Maintenance of international peace and security

"Nuclear non-proliferation, disarmament and security

"Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (S/2012/194)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[349]

> "The Security Council reaffirms that the proliferation of weapons of mass destruction and their means of delivery constitutes a threat to international peace and security.
>
> "The Council remains gravely concerned about the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use weapons of mass destruction and their means of delivery.
>
> "The Council reaffirms the need for all Member States to comply fully with their obligations and fulfil their commitments in relation to arms control, disarmament and non-proliferation in all its aspects of all weapons of mass destruction and their means of delivery.
>
> "The Council reaffirms its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability.
>
> "The Council reaffirms its resolution 1540 (2004), in which it affirms that States shall take effective measures to prevent non-State actors from acquiring weapons of mass destruction and their means of delivery and to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons, their means of delivery and related materials, recognizes States' progress in implementing resolution 1540 (2004), endorses the work carried out by the Security Council Committee established pursuant to resolution 1540 (2004), and in that regard recalls its resolution 1977 (2011), by which it extends the mandate of the Committee for 10 years.
>
> "The Council recognizes the importance of the Nuclear Security Summits held in Washington, D.C., on 13 April 2010 and in Seoul on 26 and 27 March 2012, the Communiqués of the Summits of 2010[350] and 2012,[351] and the 2010 Summit workplan.[350]
>
> "The Council welcomes the commitments made by Nuclear Security Summit participants to take national actions, as appropriate, to increase nuclear security domestically and to work through bilateral and multilateral mechanisms, in particular the International Atomic Energy Agency, to improve nuclear security and encourages all States to take national actions to this end.
>
> "The Council reaffirms, in this context, its relevant resolutions, in particular resolution 1887 (2009).
>
> "The Council recalls that effective International Atomic Energy Agency safeguards are essential to prevent nuclear proliferation and to facilitate cooperation in the field of peaceful uses of nuclear energy, and renews its call upon all States to cooperate fully with the Agency.
>
> "The Council affirms the essential responsibility and central role of the International Atomic Energy Agency in strengthening the international nuclear security framework, and also supports the Agency's Nuclear Security Plan 2010–2013.[352]
>
> "The Council welcomes the adoption of the International Atomic Energy Agency Action Plan on Nuclear Safety,[353] recalls the Ministerial Conference on Nuclear Safety,

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[349] S/PRST/2012/14.

[350] See S/2012/207.

[351] S/2012/274, annex.

[352] See International Atomic Energy Agency, document GOV/2009/54-GC(53)/18.

[353] See International Atomic Energy Agency, document GOV/2011/59-GC(55)/14.

convened by the Agency in Vienna from 20 to 24 June 2011, and the High-level Meeting on Nuclear Safety and Security, convened by the Secretary-General in New York on 22 September 2011, and values various international initiatives and efforts to this end.

"The Council stresses the importance of international efforts to establish self-sustaining nuclear security support centres and the plan of the International Atomic Energy Agency to establish the International Network for Nuclear Security Training and Support Centres.

"The Council welcomes the additional ratifications of the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material[354] and the recent adherences to the International Convention for the Suppression of Acts of Nuclear Terrorism.[355]

"The Council emphasizes the importance of the progress made by the Global Initiative to Combat Nuclear Terrorism.

"The Council recognizes the progress made by the Global Partnership against the Spread of Weapons and Materials of Mass Destruction and values its extension beyond 2012.

"The Council encourages States to participate in the International Atomic Energy Agency Illicit Trafficking Database programme.

"The Council appreciates the efforts of the International Criminal Police Organization (INTERPOL) in the field of countering illicit nuclear trafficking, including through the establishment of its Radiological and Nuclear Terrorism Prevention Unit.

"The Council takes note of international efforts towards preventing the financing of proliferation-related activities, and takes note of the work of the Financial Action Task Force.

"The Council welcomes the establishment of the European Union Chemical, Biological, Radiological and Nuclear Risk Mitigation Centers of Excellence.

"The Council calls upon States that have not yet done so to submit a first report on implementation of resolution 1540 (2004), and encourages all States to provide, when appropriate or upon the request of the Committee established pursuant to resolution 1540 (2004), additional implementation information.

"The Council calls upon all States parties to the Convention on the Physical Protection of Nuclear Material[356] to ratify the Amendment to the Convention as soon as possible and encourages them to act in accordance with the objectives and purposes of the Amendment until such time as it enters into force, and also encourages all States that have not yet done so to adhere to the Convention and adopt its Amendment as soon as possible.

"The Council encourages all States that have not yet done so to become parties to the International Convention for the Suppression of Acts of Nuclear Terrorism and encourages discussions among States parties to consider measures to effectively implement the Convention.

"The Council underlines the importance for States to share best practices with a view to improved nuclear security practices to reduce the risk of nuclear terrorism, with the aim of securing all vulnerable nuclear material from such risks, encourages all States to implement the most current recommendations of the International Atomic Energy

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[354] See International Atomic Energy Agency, document GOV/INF/2005/10-GC(49)/INF/6, attachment.

[355] United Nations, *Treaty Series*, vol. 2445, No. 44004.

[356] Ibid., vol. 1456, No. 24631.

Agency on physical protection of nuclear material and nuclear facilities,[157] encourages efforts to secure radioactive sources, and calls for States to support the Agency's Nuclear Security Plan 2010–2013 and to make voluntary contributions to the Nuclear Security Fund.

"The Council calls upon all States parties to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, in accordance with their national authorities and legislation, and consistent with international law, including relevant international legal obligations, and calls upon those States in a position to do so to work to enhance international partnerships and capacity-building in this regard.

"The Council, in this regard, encourages States to take all appropriate national measures in accordance with their national authorities and legislation, and consistent with international law, to strengthen export controls, to control access to intangible transfers of technology and to information that could be used for weapons of mass destruction and their means of delivery, to prevent proliferation financing and shipments and to secure sensitive materials.

"The Council encourages all States to manage responsibly and minimize to the greatest extent that is technically and economically feasible the use of highly enriched uranium for civilian purposes, including by working to convert to the use of low enriched uranium fuels and targets research reactors and radioisotope production processes, taking into account the need for assured supplies of medical isotopes."

PEACE AND SECURITY IN AFRICA[158]

A. General issues

Decisions

At its 6633rd meeting, on 19 October 2011, the Security Council decided to invite the representative of Benin to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

"Piracy in the Gulf of Guinea

"Letter dated 17 October 2011 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General (S/2011/644)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Mahamane Touré, Commissioner for Political Affairs, Peace and Security of the Economic Community of West African States Commission, and Mrs. Florentina Adenike Ukonga, Deputy Executive Secretary of the Gulf of Guinea Commission.

At its 6645th meeting, on 31 October 2011, the Council considered the item entitled "Peace and security in Africa".

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[157] See International Atomic Energy Agency, document INFCIRC/225/Rev.5.

[158] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

Resolution 2018 (2011)
of 31 October 2011

The Security Council,

Expressing its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, security and the economic development of States in the region,

Recalling its statement to the press of 30 August 2011 on piracy and armed robbery at sea in the Gulf of Guinea,[359]

Expressing its concern about the threat that piracy and armed robbery at sea pose to the safety of seafarers and other persons, including through their being taken as hostages, and deeply concerned by the violence employed by pirates and persons involved in piracy and armed robbery at sea in the Gulf of Guinea,

Affirming its respect for the sovereignty and territorial integrity of the States of the Gulf of Guinea and their neighbours,

Affirming that the provisions of the present resolution apply only with respect to the situation in the Gulf of Guinea,

Affirming also that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[360] in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to countering piracy and armed robbery at sea, as well as other ocean activities,

Noting that applicable international legal instruments provide for parties to create criminal offences, establish jurisdiction and prosecute or extradite for prosecution persons responsible for or suspected of seizing or exercising control over a ship or fixed platform by force or threat thereof or any other form of intimidation,

Emphasizing the importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea in the Gulf of Guinea,

Noting the efforts of the States of the Gulf of Guinea to address this problem, including joint patrols at sea and the activities of Nigeria and Benin off the coast of Benin,

Noting also the need for international assistance as part of a comprehensive strategy to support national and regional efforts to assist States in the region with their efforts to address piracy and armed robbery at sea in the Gulf of Guinea,

Welcoming the contributions made by some Member States and international organizations in support of the maritime sector, including security, capacity-building and the joint operations of the States of the Gulf of Guinea,

Stressing that the coordination of efforts at the regional level is necessary for the development of a comprehensive strategy to counter the threat of piracy and armed robbery at sea in the Gulf of Guinea,

Noting that States in the region have a leadership role to play in this regard, supported by organizations in the region,

1. *Condemns* all acts of piracy and armed robbery at sea committed off the coast of the States of the Gulf of Guinea;

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[359] SC/10372.

[360] United Nations, *Treaty Series*, vol. 1833, No. 31363.

2. *Welcomes* the intention to convene a summit of Gulf of Guinea Heads of State in order to consider a comprehensive response in the region, and encourages the States members of the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission to develop a comprehensive strategy, including through:

(*a*) The development of domestic laws and regulations, where these are not in place, criminalizing piracy and armed robbery at sea;

(*b*) The development of a regional framework to counter piracy and armed robbery at sea, including information-sharing and operational coordination mechanisms in the region;

(*c*) The development and strengthening of domestic laws and regulations, as appropriate, to implement relevant international agreements addressing the safety and security of navigation, in accordance with international law;

3. *Encourages* the States members of the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission, through concerted action, to counter piracy and armed robbery at sea in the Gulf of Guinea through the conduct of bilateral or regional maritime patrols consistent with relevant international law, and requests the States concerned to take appropriate steps to ensure that the activities they undertake pursuant to the present resolution do not have the practical effect of denying or impairing freedom of navigation on the high seas or the right of innocent passage in the territorial sea to vessels of third States;

4. *Calls upon* States, in cooperation with the shipping industry, the insurance industry and the International Maritime Organization, to issue to ships entitled to fly their flag appropriate advice and guidance, in the context of the Gulf of Guinea, on avoidance, evasion and defensive techniques and measures to take if under the threat of attack or attack when sailing in the waters of the Gulf of Guinea;

5. *Calls upon* the States members of the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission, in conjunction with flag States and States of nationality of victims or of perpetrators of acts of piracy or armed robbery at sea, to cooperate in the prosecution of alleged perpetrators, including facilitators and financiers of acts of piracy and armed robbery at sea committed off the coast of the Gulf of Guinea, in accordance with applicable international law, including human rights law;

6. *Encourages* the international community to assist, upon request, the States concerned in the region, the Economic Community of West African States, the Economic Community of Central African States, the Gulf of Guinea Commission and other relevant organizations and agencies in strengthening their efforts to counter piracy and armed robbery at sea in the Gulf of Guinea;

7. *Welcomes* the intention of the Secretary-General to deploy a United Nations assessment mission to examine the threat of piracy and armed robbery at sea in the Gulf of Guinea and explore options on how best to address the problem, and looks forward to receiving the report of the mission, with recommendations on the matter;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 6645th meeting.

Decision

At its 6674th meeting, on 5 December 2011, the Security Council decided to invite the representatives of Djibouti (President), Ethiopia (Prime Minister), Kenya (Minister for Foreign Affairs), Somalia (President) and Uganda to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Peace and security in Africa".

Resolution 2023 (2011)
of 5 December 2011

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Somalia and the border dispute between Djibouti and Eritrea, in particular resolutions 751 (1992) of 24 April 1992, 1844 (2008) of 20 November 2008, 1862 (2009) of 14 January 2009, 1907 (2009) of 23 December 2009, 1916 (2010) of 19 March 2010, 1998 (2011) of 12 July 2011 and 2002 (2011) of 29 July 2011 and the statements of 12 June 2008[361] and 15 May[362] and 9 July 2009,[363]

Reaffirming its respect for the sovereignty, territorial integrity and political independence and unity of Somalia, Djibouti and Eritrea, respectively, as well as of all other States of the region,

Reiterating its full support for the Djibouti peace process and the Transitional Federal Charter, which provide the framework for reaching a lasting political solution in Somalia, and welcoming the Kampala Accord of 9 June 2011 and the road map agreed on 6 September 2011,

Calling upon all States in the region to peacefully resolve their disputes and normalize their relations in order to lay the foundation for durable peace and lasting security in the Horn of Africa, and encouraging these States to provide the necessary cooperation to the African Union in its efforts to resolve these disputes,

Reiterating its grave concern about the border dispute between Eritrea and Djibouti and the importance of resolving it, calling upon Eritrea to pursue with Djibouti in good faith the scrupulous implementation of the agreement of 6 June 2010,[364] concluded under the auspices of Qatar, in order to resolve their border dispute and consolidate the normalization of their relations, and welcoming the mediation efforts of Qatar and the continued engagement of regional actors, the African Union and the United Nations,

Taking note of the letter dated 6 October 2011 from the Permanent Representative of Djibouti to the United Nations addressed to the Secretary-General,[365] in which the Secretary-General was informed of the escape of two Djiboutian prisoners of war from an Eritrean prison, while noting that the Government of Eritrea has to this date denied detaining any Djiboutian prisoners of war,

Expressing grave concern at the findings of the Monitoring Group on Somalia and Eritrea, in its report transmitted on 18 July 2011,[366] that Eritrea has continued to provide political, financial, training and logistical support to armed opposition groups, including Al-Shabaab, engaged in undermining peace, security and stability in Somalia and the region,

Condemning the planned terrorist attack of January 2011 to disrupt the African Union summit in Addis Ababa, as expressed in the findings of the report of the Monitoring Group,

Taking note of the decision of the Assembly of Heads of State and Government of the African Union, held in January 2010, and the communiqué of the meeting of the African Union Peace and Security Council held on 8 January 2010 welcoming the adoption by the United Nations Security Council on 23 December 2009 of resolution 1907 (2009), which imposes sanctions on Eritrea for, among other things, providing political, financial and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability;

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[361] S/PRST/2008/20

[362] S/PRST/2009/15

[363] S/PRST/2009/19

[364] S/2010/291, enclosure

[365] S/2011/617

[366] S/2011/433

stressing the need to pursue vigorously the effective implementation of resolution 1907 (2009), and expressing its intention to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in paragraph 15 of resolution 1907 (2009) and paragraph 8 of resolution 1844 (2008),

Taking note also of the decision of the Assembly of the Heads of State and Government of the Intergovernmental Authority on Development at its eighteenth extraordinary summit meeting calling upon the Security Council to take measures to ensure that Eritrea desists from its destabilization activities in the Horn of Africa,[367]

Taking note further of the letter dated 20 October 2011 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council containing a document responding to the report of the Monitoring Group,[368]

Strongly condemning any acts by Eritrea that undermine peace, security and stability in the region, and calling upon all Member States to comply fully with the terms of the arms embargo imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992, as elaborated on and amended by subsequent resolutions,

Determining that the failure of Eritrea to fully comply with resolutions 1844 (2008), 1862 (2009) and 1907 (2009) and its actions undermining peace and reconciliation in Somalia and the Horn of Africa region as well as the dispute between Djibouti and Eritrea constitute a threat to international peace and security,

Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Chapter VII of the Charter,

1. *Condemns* the violations by Eritrea of Security Council resolutions 1844 (2008), 1862 (2009) and 1907 (2009) by providing continued support to armed opposition groups, including Al-Shabaab, engaged in undermining peace and reconciliation in Somalia and the region;

2. *Supports* the call by the African Union for Eritrea to resolve its border disputes with its neighbours and calls upon the parties to peacefully resolve their disputes, normalize their relations and promote durable peace and lasting security in the Horn of Africa, and encourages the parties to provide the necessary cooperation to the African Union in its efforts to resolve these disputes;

3. *Reiterates* that all Member States, including Eritrea, shall comply fully with the terms of the arms embargo imposed by paragraph 5 of resolution 733 (1992), as elaborated on and amended by subsequent resolutions;

4. *Reiterates also* that Eritrea shall fully comply with resolution 1907 (2009) without any further delay, and stresses the obligation of all States to comply with the measures imposed by resolution 1907 (2009);

5. *Notes* the withdrawal by Eritrea of its forces following the stationing of Qatari observers in the disputed areas along the border with Djibouti, calls upon Eritrea to engage constructively with Djibouti to resolve the border dispute, and reaffirms its intention to take further targeted measures against those who obstruct the implementation of resolution 1862 (2009);

6. *Demands* that Eritrea make available information pertaining to Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

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[367] See S/2011/434, annex.

[368] S/2011/652.

7. *Demands also* that Eritrea cease all direct or indirect efforts to destabilize States, including through financial, military, intelligence and non-military assistance, such as the provision of training centres, camps and other similar facilities for armed groups, passports, living expenses or travel facilitation;

8. *Calls upon* all States, in particular States of the region, in order to ensure strict implementation of the arms embargo established by paragraphs 5 and 6 of resolution 1907 (2009), to inspect in their territory, including seaports and airports, in accordance with national authorities and legislation and consistent with international law, all cargo bound to or from Eritrea, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraphs 5 or 6 of resolution 1907 (2009), and recalls the obligations contained in paragraphs 8 and 9 of resolution 1907 (2009) with respect to the discovery of items prohibited by paragraphs 5 or 6 of resolution 1907 (2009) and paragraph 5 of resolution 733 (1992) as elaborated on and amended by subsequent resolutions;

9. *Expresses its intention* to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in paragraph 15 of resolution 1907 (2009) and paragraph 1 of resolution 2002 (2011), and requests the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) to review, as a matter of urgency, listing proposals from Member States;

10. *Condemns* the use of the "diaspora tax" on the Eritrean diaspora by the Government of Eritrea to destabilize the Horn of Africa region or violate relevant resolutions, including resolutions 1844 (2008), 1862 (2009) and 1907 (2009), including for purposes such as procuring arms and related materiel for transfer to armed opposition groups or providing any services or financial transfers provided directly or indirectly to such groups, as outlined in the findings of the Monitoring Group on Somalia and Eritrea in its report of 18 July 2011,[366] and decides that Eritrea shall cease these practices;

11. *Decides* that Eritrea shall cease using extortion, threats of violence, fraud and other illicit means to collect taxes outside of Eritrea from its nationals or other individuals of Eritrean descent, decides further that States shall take appropriate measures to hold accountable, consistent with international law, those individuals on their territory who are acting, officially or unofficially, on behalf of the Government of Eritrea or the People's Front for Democracy and Justice contrary to the prohibitions imposed in the present paragraph and the laws of the States concerned, and calls upon States to take such action as may be appropriate consistent with their domestic law and relevant international instruments, including the Vienna Convention on Diplomatic Relations of 1961[369] and the Vienna Convention on Consular Relations of 1963,[370] to prevent such individuals from facilitating further violations;

12. *Expresses concern* at the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa region, as outlined in the final report of the Monitoring Group,[366] and calls upon Eritrea to show transparency in its public finances, including through cooperation with the Monitoring Group, in order to demonstrate that the proceeds of these mining activities are not being used to violate relevant resolutions, including resolutions 1844 (2008), 1862 (2009), 1907 (2009) and the present resolution;

13. *Decides* that States, in order to prevent funds derived from the mining sector of Eritrea contributing to violations of resolutions 1844 (2008), 1862 (2009), 1907 (2009) or the present resolution, shall take appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their

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[369] United Nations, *Treaty Series*, vol. 500, No. 7310.

[370] Ibid., vol. 596, No. 8638.

jurisdiction that are doing business in this sector in Eritrea, including through the issuance of due diligence guidelines, and requests in this regard the Committee, with the assistance of the Monitoring Group, to draft guidelines for the optional use of Member States;

14. *Urges* all States to introduce due diligence guidelines to prevent the provision of financial services, including insurance or reinsurance, or the transfer to, through or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if such services, assets or resources, including new investment in the extractives sector, would contribute to violation by Eritrea of relevant resolutions, including resolutions 1844 (2008), 1862 (2009), 1907 (2009) and the present resolution;

15. *Calls upon* all States to report to the Council within one hundred and twenty days on steps taken to implement the provisions of the present resolution;

16. *Decides* to further expand the mandate of the Monitoring Group re-established by resolution 2002 (2011), to monitor and report on the implementation of the measures imposed in the present resolution and undertake the tasks outlined below:

(*a*) Assist the Committee in monitoring the implementation of the measures imposed in paragraphs 10 to 14 above, including by reporting any information on violations;

(*b*) Consider any information relevant to paragraph 6 above that should be brought to the attention of the Committee;

17. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Monitoring Group, including by supplying any information at their disposal on the implementation of the measures decided in resolutions 1844 (2008), 1907 (2009) and the present resolution, in particular incidents of non-compliance;

18. *Affirms* that it shall keep the actions of Eritrea under continuous review and that it shall be prepared to adjust the measures, including through their strengthening, modification or lifting, in the light of compliance by Eritrea with the provisions of resolutions 1844 (2008), 1862 (2009), 1907 (2009) and the present resolution;

19. *Requests* the Secretary-General to report within one hundred and eighty days on compliance by Eritrea with the provisions of resolutions 1844 (2008), 1862 (2009), 1907 (2009) and the present resolution;

20. *Decides* to remain seized of the matter.

Adopted at the 6674th meeting
by 13 votes to none, with 2 abstentions
(China and Russian Federation).

Decisions

At its 6709th meeting, on 26 January 2012, the Security Council decided to invite the representatives of Chad, Mali and Niger to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

> "Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/42)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6741st meeting, on 26 March 2012, the Council considered the item entitled "Peace and security in Africa".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[371]

> "The Security Council is following closely the security and humanitarian situation in the Sahel region, and has received regular briefings on these issues.
>
> "The Council expresses its serious concern about the insecurity and rapidly deteriorating humanitarian situation in the Sahel region, which is further complicated by the presence of armed groups and terrorist groups and their activities, as well as by the proliferation of weapons from within and outside the region, that threaten the peace, security and stability of regional States. The Council calls for national authorities and international, regional and subregional organizations to take urgent steps to further their concerted efforts to address these challenges in an effective and appropriate manner.
>
> "The Council strongly condemns the forcible seizure of power from the democratically elected Government of Mali by some elements of the Malian armed forces, and in this regard recalls its statement to the press of 22 March 2012.[372] The Council condemns the acts initiated and carried out by mutinous troops against the democratically elected Government and demands that they cease all violence and return to their barracks. The Council calls for the restoration of constitutional order and the holding of elections as previously scheduled.
>
> "The Council condemns the attacks initiated and carried out by rebel groups against forces of the Government of Mali and calls upon the rebels to cease all violence and to seek a peaceful solution through appropriate political dialogue.
>
> "The Council emphasizes the need to uphold and respect the sovereignty, unity and territorial integrity of Mali.
>
> "The Council expresses its concern over the fragile security and humanitarian situation in the region, and notes that it has been exacerbated by drought, food shortages and the return of thousands of returnees following the Libyan crisis and other crises in the region.
>
> "The Council has also been informed that millions of people in the Sahel region are suffering from that crisis, forcing thousands to migrate to less affected neighbouring countries.
>
> "The Council commends the joint efforts made by the Office for the Coordination of Humanitarian Affairs of the Secretariat and other agencies of the United Nations to provide humanitarian assistance and to draw international attention to the scale of the problem in the Sahel region. The Council has been informed of the proposal to appoint a Senior Regional Humanitarian Coordinator.
>
> "The Council welcomes the emergency programmes undertaken by the national authorities of the region as an expression of their primary responsibility. The Council also welcomes the initiatives taken by regional and subregional organizations such as the African Union and the Economic Community of West African States and efforts made so far by bilateral and multilateral partners to assist the Sahel countries to alleviate the regional food and nutrition crisis. The Council encourages the international community to provide support to resolve the crisis in Mali and the Sahel region based on an integrated strategy for immediate and long-term needs, encompassing security, development and humanitarian issues."

At its 6745th meeting, on 4 April 2012, the Council decided to invite the representative of Mali to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Peace and security in Africa".

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[371] S/PRST/2012/7

[372] SC/10590

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[373]

"The Security Council reiterates its strong condemnation of the forcible seizure of power from the democratically elected Government of Mali by some elements of the Malian armed forces, and recalls in this regard its statement to the press of 22 March 2012[372] and the statement by its President of 26 March 2012.[371] The Council calls upon the mutineers to ensure the safety and security of all Malian officials and demands the immediate release of those detained. The Council renews its call for the immediate restoration of constitutional rule and the democratically elected Government and for the preservation of the electoral process.

"The Council supports the efforts of the Economic Community of West African States, which issued communiqués on 27 and 29 March 2012, and commends the work of President Blaise Compaoré, as the facilitator of the Economic Community, in promoting the return to full civilian authority and the effective re-establishment of constitutional order in Mali. The Council also commends the efforts of the Special Representative of the Secretary-General for West Africa and of the African Union in this regard and takes note of the announcement of the mutineers on the restoration of constitutional rule as of 1 April 2012. The Council expects the mutineers to take immediate steps to effectively implement this commitment and will follow developments closely.

"The Council strongly condemns the continued attacks, looting and seizure of territory carried out by rebel groups in the north of Mali and demands an immediate cessation of hostilities. The Council is alarmed by the presence in the region of the terrorist group Al-Qaida in the Islamic Maghreb, which could lead to a further destabilization of the security situation. The Council calls upon the rebels to immediately cease all violence and urges all parties in Mali to seek a peaceful solution through appropriate political dialogue. The Council stresses the importance of the safety of civilians and of the respect of human rights.

"The Council reaffirms the need to uphold and respect the sovereignty, unity and territorial integrity of Mali.

"The Council renews its serious concern over the insecurity and rapidly deteriorating humanitarian situation in the Sahel region.

"The Council commends the efforts of humanitarian organizations involved and calls upon all parties in Mali to allow timely, safe and unimpeded access of humanitarian aid to civilians in need, in accordance with international law, including applicable international humanitarian law, and guiding principles of emergency humanitarian assistance. The Council calls for an increased mobilization of the international community to support humanitarian efforts.

"The Council expresses its concern at the risk posed by fighting to Mali's World Heritage sites.

"The Council requests the Secretary-General to update it, as appropriate, on developments in Mali and will remain seized of the matter."

At its 6798th meeting, on 5 July 2012, the Council considered the item entitled "Peace and security in Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kadré Désiré Ouédraogo, President of the Economic Community of West African States Commission.

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[373] S/PRST/2012/9

Resolution 2056 (2012)
of 5 July 2012

The Security Council,

Recalling the statements by its President of 26 March[371] and 4 April 2012[373] as well as its statements to the press on Mali of 22 March,[372] 9 April[374] and 18 June 2012,[375]

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Mali,

Condemning the forcible seizure of power from the democratically elected Government of Mali by some members of the Malian armed forces on 22 March 2012, and commending the efforts of the Economic Community of West African States and the African Union, and the cooperation of neighbouring countries and other countries in the region, in assisting with the restoration of constitutional order in Mali,

Acknowledging the positive steps taken by Mali towards the restoration of constitutional rule, including by the signing on 6 April 2012 of a framework agreement for the restoration of constitutional order under the auspices of the mediator of the Economic Community of West African States, President Blaise Compaoré of Burkina Faso,

Reiterating its full support for the mediation efforts of the Economic Community of West African States and the African Union, and welcoming the continued good offices of the Secretary-General, including through his Special Representative for West Africa,

Stressing the need for close and continued dialogue between the transitional authorities and the different political actors and civil society in Mali on the various challenges faced by the country,

Underscoring the need to reinforce civilian control of the Malian armed forces,

Reiterating its strong condemnation of the attacks initiated and carried out by rebel groups against Malian armed forces and civilians,

Reiterating its categorical rejection of statements made by the Mouvement national pour la libération de l'Azawad regarding the so-called "independence" of northern Mali, and further reiterating that it considers such announcements as null and void,

Expressing serious concern about the insecurity and rapidly deteriorating humanitarian situation in the Sahel region, which is further complicated by the presence of armed groups and terrorist groups and their activities, as well as by the proliferation of weapons from within and outside the region, that threaten the peace, security and stability of regional States,

Expressing deep concern at the increased terrorist threat in the north of Mali and the region due to the presence of members of Al-Qaida in the Islamic Maghreb, and reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by terrorist groups with the aim of raising funds or gaining political concessions, and expressing the need for this issue to be addressed,

Expressing grave concern at the worsening of the humanitarian situation in Mali and at the increasing number of displaced persons and refugees, acknowledging the humanitarian support provided by countries in the region and international partners to Mali and its neighbouring countries, and renewing its call for increased mobilization of the international community to support humanitarian efforts and for all parties in Mali to allow for impartial, neutral, full and unimpeded access for humanitarian aid,

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[374] SC/10603.

[375] SC/10676.

Strongly condemning the desecration, damage and destruction of sites of holy, historical and cultural significance, especially but not exclusively those designated as World Heritage sites by the United Nations Educational, Scientific and Cultural Organization, including in the city of Timbuktu,

Taking note of the conclusions of the meeting of the Support and Follow-up Group on the Situation in Mali held in Abidjan, Côte d'Ivoire, on 7 June 2012,[376] the communiqué of the Peace and Security Council of the African Union of 12 June 2012[377] and the communiqués of the Economic Community of West African States of 3 May and 29 June 2012,

Determining that the situation in Mali constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Restoration of constitutional order

1. *Expresses its full support* for the efforts of the Economic Community of West African States and the African Union in Mali, with the support of the United Nations, and encourages them to continue to coordinate closely with the transitional authorities of Mali for the restoration of constitutional order;

2. *Calls upon* all national stakeholders in Mali to create the conditions necessary for enabling the transitional authorities to fully exercise their primary responsibilities and to ensure the full restoration and preservation of constitutional order;

3. *Takes note* of the non-recognition by the Economic Community of West African States of the Comité national pour le redressement de la démocratie et la restauration de l'État as a legal entity in the transition, decides that the said Comité national pour le redressement de la démocratie et la restauration de l'État shall be dissolved, and further demands that its members refrain from any interference in political matters and in the work of the transitional authorities;

4. *Urges* all members of the Malian armed forces to respect constitutional order, civilian rule and human rights;

5. *Condemns in the strongest terms* the physical assault against the interim President of Mali, Mr. Dioncounda Traoré, on 21 May 2012, calls for the perpetrators to be brought to justice and in this regard supports the announced establishment of a Malian investigation commission, and calls upon all Malian stakeholders to desist from unlawful conduct, harassment and acts of violence and to support the work of the transitional authorities;

6. *Takes note* of the decisions of the Economic Community of West African States and the African Union to adopt targeted sanctions in Mali, and reserves the right to consider appropriate measures as necessary;

7. *Calls for* the safe return to Bamako as soon as possible of the interim President, Mr. Dioncounda Traoré, and for his security to be assured;

8. *Expresses its support* for the transitional authorities in Mali, led by the interim President and the Prime Minister of the transition, and decides that the transitional authorities shall develop, within the framework of an inclusive national dialogue with the political forces and civil society, including legitimate representatives of the northern regions and with the support of the Economic Community of West African States and other international partners, a road map setting out the tasks to be carried out peacefully during the transition so as to ensure the consolidation of the institutions of Mali, especially the reorganization and restructuring of the Malian defence and security forces, the restoration of State authority throughout the territory of Mali and the organization of free, transparent and fair presidential elections within twelve months of the signing of the framework agreement for the restoration of constitutional order;

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[376] S/2012/466, enclosure.

[377] S/2012/478, enclosure.

Territorial integrity of Mali

9. *Demands* the full, immediate and unconditional cessation of hostilities by rebel groups in the north of Mali;

10. *Calls upon* all groups in northern Mali, including the Mouvement national pour la libération de l'Azawad, Ansar Dine and foreign combatants on Malian soil, to renounce all affiliations incompatible with peace, security, the rule of law and the territorial integrity of Mali;

11. *Expresses its support* for all efforts made by the transitional authorities of Mali, with the support of the Economic Community of West African States, the African Union, neighbouring and other countries in the region and the United Nations, aimed at seeking a peaceful solution to the situation in the north of Mali mindful of the sovereignty, unity and territorial integrity of Mali, and calls upon Malian rebel groups to enter into an appropriate political dialogue with the transitional authorities of Mali to this end;

12. *Requests* the Secretary-General to provide support to ongoing mediation efforts, including through the good offices of his Special Representative for West Africa;

13. *Calls upon* all parties in the north of Mali to cease all abuses of human rights and violations of international humanitarian law, condemns in particular the targeted attacks against the civilian population, sexual violence, recruitment and use of child soldiers and forced displacement, recalls in this regard all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflict, and stresses that the perpetrators shall be brought to justice;

14. *Demands* that all parties in Mali ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance, and further demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel, equipment and supplies, in accordance with international law, including applicable international humanitarian, human rights and refugee law;

15. *Acknowledges* the cooperative policy of neighbouring States, including Algeria, Burkina Faso, Mauritania and Niger, in keeping their borders open for refugees and in facilitating the passage of humanitarian personnel, equipment and supplies, and encourages these States to continue this policy and contribute to a stabilization of the situation wherever possible;

16. *Stresses* that attacks against buildings dedicated to religion or historic monuments can constitute violations of international law which may fall under Additional Protocol II to the 1949 Geneva Conventions[378] and the Rome Statute of the International Criminal Court,[379] to which Mali is a State party, and further urges all parties in Mali to immediately take appropriate steps to ensure the protection of Mali's World Heritage sites;

Economic Community of West African States security support

17. *Takes note* of the request of the Economic Community of West African States and the African Union for a United Nations Security Council mandate authorizing the deployment of an Economic Community of West African States stabilization force in order to support the political process in Mali and assist in upholding the territorial integrity of Mali and in combating terrorism;

18. *Expresses its readiness* to further examine the request of the Economic Community of West African States once additional information has been provided regarding the objectives, means and modalities of the envisaged deployment and other possible measures, encourages in this regard a close cooperation between the Malian transitional authorities, the Economic Community of West African States Commission, the African Union Commission and countries in

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[378] United Nations, *Treaty Series*, vol. 1125, No. 17513.

[379] Ibid., vol. 2187, No. 38544.

the region in order to prepare detailed options, and further requests the Secretary-General to support the Economic Community of West African States Commission and the African Union Commission in preparing such detailed options;

Fight against terrorism

19. *Reiterates its unequivocal condemnation* of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for criminal acts of kidnapping, ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims and the destruction of property and greatly undermining stability, including in the north of Mali and the Sahel region;

20. *Urges* all rebel groups in Mali to refrain from any form of association with Al-Qaida in the Islamic Maghreb and to combat the threat posed by terrorist groups in Mali, and recalls in this regard that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida include participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of; supplying, selling or transferring arms and related materiel to; recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof, and further calls upon all Member States to implement robustly their obligations pursuant to resolution 1989 (2011) of 17 June 2011;

21. *Calls upon* Member States to consider and take measures to prevent the proliferation of all arms and related materiel of all types in the Sahel region, in particular man-portable surface-to-air missiles, consistent with resolution 2017 (2011) of 31 October 2011;

22. *Urges* Member States to assist efforts to undertake reform and capacity-building of the Malian security forces in order to reinforce democratic control of the armed forces, to restore the authority of the State of Mali over its entire national territory, to uphold the unity and territorial integrity of Mali and to reduce the threat posed by Al-Qaida in the Islamic Maghreb and affiliated groups;

23. *Urges* Sahel and Maghreb States to enhance interregional cooperation and coordination in order to take all necessary measures to develop strategies to combat activities of Al-Qaida in the Islamic Maghreb and to contain further progress of its elements and affiliated groups in the Sahel and Maghreb regions, including the interdiction of smuggling of arms, vehicles, fuel and other commodities that support Al-Qaida in the Islamic Maghreb and affiliated groups;

24. *Emphasizes* that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, stresses in this regard the need for robust implementation of the measures in paragraph 1 of resolution 1989 (2011) as a significant tool in combating terrorist activity, and calls upon all Member States to submit to the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) names of individuals, groups, undertakings and entities that are associated with Al-Qaida, including in the Sahel region and notably in the north of Mali;

United Nations support to efforts of mediation

25. *Requests* the Secretary-General to contribute to efforts of regional and international actors on Mali, including through the good offices of his Special Representative, especially by supporting the work of the Support and Follow-up Group on the Situation in Mali;

26. *Acknowledges* the significant contribution that women can have in conflict prevention, peacebuilding and mediation efforts, calls upon all actors in the crisis in Mali to take measures to increase the number of women involved in mediation efforts, and stresses the importance of creating enabling conditions for the participation and empowerment of women during all stages of the mediation process;

Reporting

27. *Requests* the Secretary-General to report by 31 July 2012 on the situation in Mali and the implementation of the present resolution, possible steps to ensure the effective full restoration of constitutional order and of the territorial integrity in Mali, including the detailed options referred to in paragraph 18 above and prepared through cooperation between the Economic Community of West African States Commission, the African Union Commission and countries in the region, with the support of the United Nations, and ways of improving international coordination;

Integrated United Nations strategy for Sahel

28. *Requests* the Secretary-General to develop and implement, in consultation with regional organizations, a United Nations integrated strategy for the Sahel region encompassing security, governance, development, human rights and humanitarian issues, including through the involvement of the United Nations Office for West Africa, and requests the Secretary-General to inform the Council on progress made by 15 September 2012;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6798th meeting

B. The impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

Decisions

At its 6717th meeting, on 21 February 2012, the Security Council decided to invite the representatives of Algeria, Australia, Benin (Minister of State in charge of National Defence), Brazil, Burkina Faso, Canada, Côte d'Ivoire, Egypt, Finland, Israel, Italy, Japan, Luxembourg, Mali, Mauritania, Nigeria, Norway, Senegal, the Sudan, Tunisia, Turkey and Uganda to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

> "The impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region
>
> "Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/42)
>
> "Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General (S/2012/83)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Francisco Caetano José Madeira, Special Representative of the Chairperson of the African Union Commission for Counter-Terrorism Cooperation, and Ms. Helga Schmid, Deputy Secretary General of the External Action Service of the European Union.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[380]

> "The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations.

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[380] S/PRST/2012/2.

"The Council expresses concern about the serious threats to international peace and stability in different regions of the world, in particular in West Africa and the Sahel region, posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea, as well as terrorism and its increasing links, in some cases, with transnational organized crime and drug trafficking. The Council stresses that these growing international threats, particularly in West Africa and the Sahel region, contribute to undermining governance, social and economic development and stability and creating difficulties for the delivery of humanitarian assistance, while threatening to reverse peacebuilding advances in the region.

"The Council is also strongly concerned by the increasing violence perpetrated by armed groups in the region, which has been exacerbated by the proliferation of weapons, from within and outside the region, that threaten the peace, security and stability of States, recalls in this context its resolution 2017 (2011) and its previous resolutions and the statements by its President on the impact of the transnational threats mentioned above and welcomes regional initiatives such as the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials.

"The Council acknowledges the importance of system-wide United Nations action in order to offer coherent and coordinated responses to the transnational threats mentioned above, including through the use of best practices and exchange of positive experiences from relevant initiatives in other regions of the world, such as the Paris Pact initiative.[381]

"The Council notes with concern that the threats mentioned above may threaten the security of countries on its agenda, including post-conflict States, and encourages the coordination of United Nations actions as well as actions by Member States in fighting these threats. The Council encourages international long-term capacity-building efforts and regional initiatives. In this regard, the Council commends the important work of the United Nations Office on Drugs and Crime and encourages the Executive Director of the Office to further assist States of the region, in collaboration with other relevant United Nations entities, and calls upon the Office to brief the Council as necessary.

"The Council calls upon States that have not yet ratified or implemented the relevant international conventions, such as the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[382] the Convention on Psychotropic Substances of 1971,[383] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[384] the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto[385] and the United Nations Convention against Corruption of 2003,[386] to do so.

"The Council recognizes the support provided by bilateral and multilateral actors, including the European Union, the African Union and the Economic Community of West African States, to efforts aimed at combating transnational organized crime and calls upon the international community and the United Nations system to strengthen their cooperation with regional organizations and initiatives such as the Regional Conference on Impunity, Justice and Human Rights in West Africa, held in Bamako from 2 to 4 December 2011, the Ministerial Conference of African Atlantic States, the Group of Eight Ministerial Meeting on Transatlantic

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[381] See S/2003/641, annex.

[382] United Nations, *Treaty Series*, vol. 976, No. 14152.

[383] Ibid., vol. 1019, No. 14956.

[384] Ibid., vol. 1582, No. 27627.

[385] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[386] Ibid., vol. 2349, No. 42146.

Cocaine Trafficking, held in Paris on 9 and 10 May 2011, and the Transatlantic Symposium on Dismantling Transnational Illicit Networks, held in Lisbon from 17 to 19 May 2011.

"The Council commends the States and leaders of West Africa and the Sahel region for the important initiatives and measures they have adopted, at the national and regional levels, to tackle the threat of organized crime in their region. The Council urges States of the region to extend their support to the Revised African Union Plan of Action on Drug Control and Crime Prevention (2007–2012) and the Economic Community of West African States Regional Action Plan to Address the Growing Problem of Illicit Drug Trafficking, Organized Crime and Drug Abuse in West Africa (2008–2011) and to renew the Regional Action Plan in 2012 and beyond. The Council also urges them to extend their support to the West Africa Coast Initiative. The Council calls upon the international community to continue to support these initiatives, including border control.

"The Council reaffirms its commitment to international law and the Charter and to an international order based on the rule of law and international law, which are essential for cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security. In this regard, the Council stresses the importance of implementing relevant international agreements and of strengthening international, regional and transregional cooperation, including capacity-building in justice and security institutions in order to investigate and prosecute, as appropriate, persons and entities responsible for these crimes.

"The Council invites the Secretary-General to consider these threats as a factor in conflict prevention strategies, conflict analysis, integrated missions assessment and planning and peacebuilding support and to consider including in his reports an analysis of the role played by these threats in situations on the agenda of the Council, with a view to strengthening a coordinated and synergetic effort by relevant United Nations entities, and requests him to report on specific recommendations on ways and means in which the Council may deal with the question of transnational organized crime, including drug trafficking in West Africa and the Sahel region, taking into account the views of Member States, recent experiences in the field and the contents of the present statement."

COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL AND SUBREGIONAL ORGANIZATIONS IN MAINTAINING INTERNATIONAL PEACE AND SECURITY[387]

Decisions

At its 6702nd meeting, on 12 January 2012, the Security Council decided to invite the representatives of Ethiopia, Kenya (Minister for Foreign Affairs) and Nigeria to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security
>
> > "Strengthening the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security
> >
> > "Report of the Secretary-General on United Nations-African Union cooperation in peace and security (S/2011/805)

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[387] Resolutions or decisions on this question were first adopted by the Security Council in 2007

"Letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (S/2012/13)

"Letter dated 9 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council (S/2012/20)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission.

Resolution 2033 (2012)
of 12 January 2012

The Security Council,

Recalling all its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in accordance with the Charter of the United Nations and the relevant statutes of regional and subregional organizations,

Reaffirming its primary responsibility for the maintenance of international peace and security,

Reiterating that cooperation with regional and subregional organizations in matters relating to the maintenance of peace and security and consistent with Chapter VIII of the Charter, can improve collective security,

Recognizing that regional organizations are well positioned to understand the causes of armed conflicts owing to their knowledge of the region, which can be a benefit for their efforts to influence the prevention or resolution of these conflicts,

Stressing the utility of developing effective partnerships between the United Nations and regional and subregional organizations, in order to enable early responses to disputes and emerging crises and to strengthen the role of the United Nations in the prevention of conflict,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009, 1894 (2009) of 11 November 2009 and 1960 (2010) of 16 December 2010 and its commitment to their full and effective implementation, reaffirming the important role that women play in mediation, in conflict prevention, as well as in the peaceful resolution of conflict and in peacebuilding, as expressed in the statement by its President of 28 October 2011,[388] and reaffirming also the importance of the prevention of and protection from sexual violence,

Reaffirming its resolutions 1379 (2001) of 20 November 2001, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on the protection of children in armed conflict, encouraging initiatives by regional and subregional organizations and arrangements for the protection of children affected by armed conflict, and encouraging the continued mainstreaming of child protection into their advocacy, policies and programmes,

Welcoming the increasing contribution being made by the African Union in efforts to settle conflicts on the African continent, and expressing its support for the peace initiatives conducted by the African Union and through the African subregional organizations, and stressing, in accordance with Article 54 of the Charter, the need for regional and subregional organizations at all times to keep the Security Council fully informed of these efforts in a comprehensive and coordinated manner,

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[388] S/PRST/2011/20.

Recalling the Constitutive Act of the African Union[389] and the Protocol relating to the Establishment of the Peace and Security Council of the African Union, and expressing its support for the ongoing operationalization of the African Peace and Security Architecture,

Acknowledging progress made in the ongoing cooperation between the United Nations and the African Union, and stressing the importance of further strengthening cooperation and developing effective partnership with the Peace and Security Council, consistent with Chapter VIII of the Charter, to address common collective security challenges in Africa,

Recognizing the importance of strengthening the capacity of regional and subregional organizations in conflict prevention and crisis management and in post-conflict stabilization,

Recognizing also that one major constraint facing some regional organizations, in particular the African Union, in effectively carrying out the mandate of maintaining regional peace and security is securing predictable, sustainable and flexible resources,

Noting with appreciation the collaboration between the good offices of the Secretary-General, including his Special Representatives, and the African Union in the area of conflict prevention,

Welcoming the contribution of the United Nations Office to the African Union in strengthening coordination and cooperation between the United Nations and the African Union,

Noting with appreciation the efforts of the United Nations Secretariat and the African Union Commission in developing common guidelines that outline a framework for mediation in Africa in an effort to make the United Nations-African Union partnership more coherent when undertaking joint mediation efforts,

Welcoming the United Nations support for the African Union in the field of peacekeeping, including by supporting the efforts of the African Union to develop policy, guidance and training, in particular in the areas of security sector reform, post-conflict reconstruction and the protection of civilians, including the problem of sexual violence in armed conflict,

Noting the need for a comprehensive analysis of lessons learned from practical cooperation between the United Nations and the African Union, in particular with regard to the African Union-United Nations Hybrid Operation in Darfur as well as the African Union Mission in Somalia, recognizing the need to build upon lessons learned from practical cooperation between the United Nations and the African Union, and further recognizing the benefits of coordination of policy and strategy in this regard by the Security Council and the Peace and Security Council,

Taking note of the report of the Chairperson of the African Union Commission on the partnership between the United Nations and the African Union on peace and security in Africa, entitled "Report of the Chairperson of the Commission on the partnership between the African Union and the United Nations on peace and security: towards greater strategic and political coherence",[390]

Welcoming the report of the Secretary-General on United Nations-African Union cooperation in peace and security,[391]

1. *Expresses its determination* to take effective steps to further enhance the relationship between the United Nations and regional and subregional organizations, in particular the African Union, in accordance with Chapter VIII of the Charter of the United Nations;

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[389] United Nations, *Treaty Series*, vol. 2158, No. 37733.

[390] S/2012/20, annex I.

[391] S/2011/805.

2. *Encourages* the continuing involvement of regional and subregional organizations in the peaceful settlement of disputes, including through conflict prevention, confidence-building and mediation efforts;

3. *Encourages* regional and subregional organizations to strengthen and increase cooperation among them, including efforts to enhance their respective capacities, in the maintenance of international peace and security;

4. *Reiterates* the importance of establishing a more effective relationship between the United Nations Security Council and the African Union Peace and Security Council, including in the areas of conflict prevention, resolution and management, electoral assistance and regional conflict prevention offices;

5. *Takes note* of the respective strategic visions of the partnership between the African Union and the United Nations as contained in the reports of the Secretary-General[391] and the Chairperson of the African Union Commission,[390] and stresses that common and coordinated efforts undertaken by the Security Council and the Peace and Security Council in matters of peace and security should be based on their respective authorities, competencies and capacities;

6. *Encourages* the improvement of regular interaction, consultation and coordination, as appropriate, between the Security Council and the Peace and Security Council on matters of mutual interest;

7. *Stresses* the importance of a coordinated international response to causes of conflict and recognizes the need for the development of effective long-term strategies, and emphasizes the need for all United Nations organs and agencies to pursue preventive strategies and to take action within their respective areas of competence to assist Member States and regional organizations to eradicate poverty, strengthen development cooperation and assistance and promote respect for human rights and fundamental freedoms;

8. *Reaffirms* the obligation of all Member States to settle disputes and resolve conflicts in accordance with the Charter, and calls upon the international community to assist the efforts initiated by the African Union and subregional organizations aimed at the peaceful settlement of disputes and the resolution of conflict in accordance with the Charter;

9. *Calls upon* the Secretary-General to maintain close consultations with the African Union and regional economic communities as well as with international partners on peace and security challenges in Africa, especially in the prevention and resolution of conflicts;

10. *Recognizes* the important role of the good offices of the Secretary-General in Africa, and encourages the Secretary-General to continue to use mediation as often as possible to help to resolve conflicts peacefully, working in coordination and closely with the African Union and subregional organizations in that regard, as appropriate;

11. *Calls upon* the United Nations Office to the African Union to continue its efforts to contribute to strengthening cooperation between the United Nations Secretariat and the African Union Commission, including in the area of mediation efforts, and underscores the importance of expediting the implementation, in close consultation with other international partners, of the 2006 United Nations-African Union Ten-year Capacity-building Programme for the African Union focusing mainly on peace and security, in particular the operationalization of the African Peace and Security Architecture, as an important contribution towards conflict prevention on the African continent;

12. *Reaffirms* the vital role of women in the prevention and resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response and post-conflict reconstruction, and stresses the need for the United Nations and the African Union to work to ensure that women and gender perspectives are fully integrated into all peace and security efforts undertaken by the two organizations, including by building the necessary capacity;

13. *Urges* the Secretary-General to continue to work to ensure that the United Nations Office to the African Union, the United Nations Economic Commission for Africa and the United Nations agencies working with the United Nations Regional Coordination Mechanism for Africa are delivering coordinated support to the African Union;

14. *Welcomes* regular interaction between the United Nations Secretariat and the African Union Commission, through the United Nations-African Union Joint Task Force on Peace and Security, and encourages the Task Force to continue to focus on strategic and country-specific issues of the African continent that are of interest to both organizations and requests that the Task Force consider ways to enhance United Nations and African Union cooperation on conflict prevention in Africa and that it provide updates to the Security Council subsequent to its meetings;

15. *Supports* further interaction between the United Nations Secretariat and the African Union Commission to exchange information and, as appropriate, coordinate in the preparation of recommendations, including through joint assessments, if appropriate, in order to assist the Security Council and the Peace and Security Council in formulating cohesive positions and strategies;

16. *Also supports* ongoing briefings by senior United Nations officials to the Peace and Security Council and by the African Union to the United Nations as an important contribution in strengthening consultation, information-sharing and communication between the two bodies on issues of mutual concern;

17. *Decides*, in consultation with the Peace and Security Council, to elaborate further ways of strengthening relations between the two Councils, including by achieving more effective annual consultative meetings, the holding of timely consultations, and collaborative field missions of the two Councils, as appropriate, to formulate cohesive positions and strategies on a case-by-case basis in dealing with conflict situations in Africa;

18. *Also decides* to follow up on the communiqués of the annual consultative meetings of the two Councils, including through the Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa;

19. *Stresses* the need to enhance the predictability, sustainability and flexibility of financing regional organizations when they undertake peacekeeping under a United Nations mandate;

20. *Reiterates* that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from partners, and welcomes the valuable financial support provided by the African Union's partners towards its peacekeeping operations, including through the African Peace Facility, and calls upon all partners to continue their support;

21. *Requests* the Secretary-General, in consultation with the African Union, to conduct a comprehensive analysis of lessons learned from practical cooperation between the United Nations and the African Union, in particular with regard to the African Union-United Nations Hybrid Operation in Darfur as well as the African Union Mission in Somalia, in order to improve coordination when appropriate;

22. *Also requests* the Secretary-General to include, as appropriate, in his regular reporting to the Security Council, assessments of progress on the cooperation between the United Nations and relevant regional and subregional organizations;

23. *Decides* to remain seized of the matter.

Adopted unanimously at the 6702nd meeting.

THE SITUATION IN LIBYA[392]

Decisions

At its 6606th meeting, on 30 August 2011, the Security Council considered the item entitled "The situation in Libya".

At its 6620th meeting, on 16 September 2011, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Libya

> "Letter dated 15 September 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/578)".

Resolution 2009 (2011)
of 16 September 2011

The Security Council,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its previous resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict, and resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law or complicit in attacks targeting the civilian population are held accountable,

Strongly condemning all violations of applicable human rights and international humanitarian law, including violations that involve unlawful killings, other uses of violence against civilians, or arbitrary arrests and detentions, in particular of African migrants and members of minority communities,

Also strongly condemning sexual violence, particularly against women and girls, and the recruitment and use of children in situations of armed conflict in contravention of applicable international law,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of peace in Libya,

Stressing that national ownership and national responsibility are key to establishing sustainable peace and the primary responsibility of national authorities in identifying their priorities and strategies for post-conflict peacebuilding,

Recalling the letter dated 7 September 2011 from the Secretary-General to the President of the Security Council,[393] and welcoming his intention to dispatch, at the request of the Libyan authorities, an initial deployment of personnel, to be led by a Special Representative of the Secretary-General for Libya,

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[392] Resolutions or decisions on this question were first adopted by the Security Council during the period from 1 January to 31 July 2011.

[393] S/2011/542.

Taking note of the letter dated 14 September 2011 from Mr. Mahmoud Jibril, Prime Minister of the National Transitional Council of Libya, to the Secretary-General,[394]

Expressing its gratitude to the Special Envoy of the Secretary-General to Libya, Mr. Abdel-Elah Mohamed Al-Khatib, for his efforts to find a sustainable and peaceful solution in Libya,

Reaffirming that the United Nations should lead the effort of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, welcoming the contributions in this regard of the Secretary-General's high-level meeting of regional organizations of 26 August 2011 and the Paris Conference on Libya, of 1 September 2011, and welcoming also the efforts of the African Union, the League of Arab States, the European Union and the Organization of Islamic Cooperation,

Expressing its concern at the proliferation of arms in Libya and its potential impact on regional peace and security,

Recalling its resolutions 1970 (2011) of 26 February 2011 and 1973 (2011) of 17 March 2011,

Recalling its determination to ensure that assets frozen pursuant to resolutions 1970 (2011) and 1973 (2011) shall, as soon as possible, be made available to and for the benefit of the people of Libya, welcoming steps taken by the Security Council Committee established pursuant to resolution 1970 (2011) and Member States in this regard, and underscoring the importance of making these assets available in a transparent and responsible manner in conformity with the needs and wishes of the Libyan people,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter, and taking measures under its Article 41,

1. *Takes note* of the developments in Libya, welcomes the improved situation there, and looks forward to stability in Libya;

2. *Looks forward* to the establishment of an inclusive, representative transitional Government of Libya, and emphasizes the need for the transitional period to be underpinned by a commitment to democracy, good governance, the rule of law and respect for human rights;

3. *Emphasizes* the importance of promoting the equal and full participation of women and minority communities in the discussions related to the political process in the post-conflict phase;

4. *Welcomes* the statements of the National Transitional Council appealing for unity, national reconciliation and justice, and its call for Libyans of all beliefs and backgrounds to refrain from reprisals, including arbitrary detentions;

5. *Encourages* the National Transitional Council to implement its plans:

(*a*) To protect Libya's population, restore government services and allocate Libya's funds openly and transparently;

(*b*) To prevent further abuses and violations of human rights and international humanitarian law and to put an end to impunity;

(*c*) To ensure a consultative, inclusive political process with a view to agreement on a constitution and the holding of free and fair elections;

(*d*) To ensure the safety of foreign nationals in Libya, particularly those who have been threatened, mistreated and/or detained; and

(*e*) To prevent the proliferation of man-portable surface-to-air missiles, small arms and light weapons, and meet Libya's arms control and non-proliferation obligations under international law;

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[394] S/2011/578, annex.

6. *Notes* the calls by the National Transitional Council to avoid acts of reprisals, including against migrant workers;

7. *Calls upon* the Libyan authorities to promote and protect human rights, including those of people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, and calls for those responsible for violations, including sexual violence, to be held accountable in accordance with international standards;

8. *Strongly urges* the Libyan authorities to ensure the protection of diplomatic personnel and premises in accordance with the Vienna Convention on Diplomatic Relations of 1961;[395]

9. *Expresses its resolve* to assist the people of Libya to achieve these goals, and urges all Member States to assist the people of Libya, as appropriate;

10. *Urges* all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity, in accordance with the international obligations of Libya;

11. *Calls upon* the Libyan authorities to comply with the international obligations of Libya, including obligations set forth in the Charter of the United Nations, in accordance with international law, and further calls upon the Libyan authorities to honour extant contracts and obligations, in accordance with the present resolution and other relevant resolutions, and the law applicable to such contracts and obligations;

United Nations mandate

12. *Decides* to establish a United Nations Support Mission in Libya, under the leadership of a Special Representative of the Secretary-General for Libya, for an initial period of three months, and decides further that the mandate of the Mission shall be to assist and support Libyan national efforts:

(*a*) To restore public security and order and promote the rule of law;

(*b*) To undertake inclusive political dialogue, promote national reconciliation and embark upon the constitution-making and electoral process;

(*c*) To extend State authority, including through strengthening emerging accountable institutions and the restoration of public services;

(*d*) To promote and protect human rights, particularly for those belonging to vulnerable groups, and support transitional justice;

(*e*) To take the immediate steps required to initiate economic recovery; and

(*f*) To coordinate support that may be requested from other multilateral and bilateral actors, as appropriate;

Arms embargo

13. *Decides* that the measure imposed by paragraph 9 of resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of:

(*a*) Arms and related materiel of all types, including technical assistance, training and financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and notified to the Security Council Committee established pursuant to resolution 1970 (2011) in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

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[395] United Nations, *Treaty Series*, vol. 500, No. 7310.

(*b*) Small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification;

Asset freeze

14. *Decides* that the Libyan National Oil Corporation and Zueitina Oil Company shall no longer be subject to the asset freeze and other measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011);

15. *Decides also* to modify the measures imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio as follows:

(*a*) Funds, other financial assets and economic resources outside of Libya of the entities mentioned above in the present paragraph that are frozen as of the date of the present resolution pursuant to measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011) shall remain frozen by States unless subject to an exemption as set out in paragraphs 19, 20 or 21 of that resolution or paragraph 16 below;

(*b*) Except as provided in (*a*), the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio shall otherwise no longer be subject to the measures imposed in paragraph 17 of resolution 1970 (2011), including that States are no longer required to ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories to or for the benefit of these entities;

16. *Decides further* that, in addition to the provisions of paragraph 19 of resolution 1970 (2011), the measures imposed by paragraph 17 of that resolution, as modified by paragraph 15 above and paragraph 19 of resolution 1973 (2011), do not apply to funds, other financial assets or economic resources of the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, provided that:

(*a*) A Member State has provided notice to the Committee of its intent to authorize access to funds, other financial assets or economic resources, for one or more of the following purposes and in the absence of a negative decision by the Committee within five working days of such a notification:

(i) Humanitarian needs;

(ii) Fuel, electricity and water for strictly civilian uses;

(iii) Resuming Libyan production and sale of hydrocarbons;

(iv) Establishing, operating or strengthening institutions of civilian government and civilian public infrastructure; or

(v) Facilitating the resumption of banking sector operations, including to support or facilitate international trade with Libya;

(*b*) A Member State has notified the Committee that those funds, other financial assets or economic resources shall not be made available to or for the benefit of the individuals subject to the measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011);

(*c*) The Member State has consulted in advance with the Libyan authorities about the use of such funds, other financial assets or economic resources; and (*d*) The Member State has shared with the Libyan authorities the notification submitted pursuant to the present paragraph and the Libyan authorities have not objected within five working days to the release of such funds, other financial assets or economic resources;

17. *Calls upon* States to exercise vigilance when acting pursuant to paragraph 16 above and to give due consideration to the use of international financial mechanisms to promote transparency and prevent misappropriation, in the light of the challenges that yet remain for the Libyan authorities;

18. *Requests* the International Monetary Fund and the World Bank to work with the Libyan authorities on an assessment of Libya's public financial management framework, which would recommend steps to be taken by Libya to ensure a system of transparency and accountability with respect to the funds held by Libyan governmental institutions, including the Libyan Investment Authority, the Libyan National Oil Corporation, the Libyan Arab Foreign Bank, the Libyan Africa Investment Portfolio and the Central Bank of Libya, and further requests that the Committee be informed of the results of that assessment;

19. *Directs* the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as is practical to ensure that the assets are made available to and for the benefit of the people of Libya;

No-fly zone and ban on flights

20. *Takes note* of the improved situation in Libya, emphasizes its intention to keep the measures imposed by paragraphs 6 to 12 of resolution 1973 (2011) under continuous review, and underlines its readiness, as appropriate and when circumstances permit, to lift those measures and to terminate the authorization given to Member States in paragraph 4 of resolution 1973 (2011), in consultation with the Libyan authorities;

21. *Decides* that the measures in paragraph 17 of resolution 1973 (2011) shall cease to have effect from the date of the present resolution;

Cooperation and reporting

22. *Requests* the Secretary-General to report on the implementation of the present resolution in fourteen days from its adoption, and every month thereafter, or more frequently as he sees fit;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6620th meeting.

Decisions

On 19 September 2011, the President of the Security Council addressed the following letter to the Secretary-General:[396]

> "I have the honour to inform you that your letter dated 16 September 2011 concerning your intention to appoint Mr. Ian Martin, of the United Kingdom of Great Britain and Northern Ireland, as your Special Representative for Libya and Head of the United Nations Support Mission in Libya, and Mr. Georg Charpentier, of Finland, as your Deputy Special Representative for Libya and Resident Coordinator ad interim[397] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[396] S/2011/588.

[397] S/2011/587.

At its 6622nd meeting, on 26 September 2011, the Council decided to invite the representative of Libya (Prime Minister of the National Transitional Council) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6639th meeting, on 26 October 2011, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6640th meeting, on 27 October 2011, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

Resolution 2016 (2011)
of 27 October 2011

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011 and 2009 (2011) of 16 September 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Taking note of the National Transitional Council's "Declaration of Liberation" of 23 October 2011 in Libya,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Reiterating the importance of promoting the full and effective participation of members of all social and ethnic groups, including the equal participation of women and minority communities in the discussions related to the post-conflict phase,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law or complicit in attacks targeting the civilian population are held accountable,

Reiterating that the voluntary and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing its concern at the proliferation of arms in Libya and its potential impact on regional peace and security, and also expressing its intention expeditiously to address that issue further,

Expressing grave concern about continuing reports of reprisals, arbitrary detentions, wrongful imprisonment and extrajudicial executions in Libya,

Reiterating its call to the Libyan authorities to promote and protect human rights and fundamental freedoms, including those of people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, and urging respect for the human rights of all people in Libya, including former officials and detainees, during and after the transitional period,

Recalling its decisions in resolution 2009 (2011):

(*a*) To modify the provisions of the arms embargo imposed by paragraph 9 of resolution 1970 (2011) to provide for additional exemptions,

(*b*) To terminate the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Libyan National Oil Corporation and Zueitina Oil Company, and to modify the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and

(*c*) To cease the measures imposed by paragraph 17 of resolution 1973 (2011),

Recalling also its intention to keep the measures imposed by paragraphs 6 to 12 of resolution 1973 (2011) under continuous review and to lift, as appropriate and when circumstances permit, those measures and to terminate the authorization given to Member States in paragraph 4 of resolution 1973 (2011), in consultation with the Libyan authorities,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter,

1. *Welcomes* the positive developments in Libya which will improve the prospects for a democratic, peaceful and prosperous future there;

2. *Looks forward* to the swift establishment of an inclusive, representative transitional Government of Libya, and reiterates the need for the transitional period to be underpinned by a commitment to democracy, good governance, the rule of law, national reconciliation and respect for the human rights and fundamental freedoms of all people in Libya;

3. *Strongly urges* the Libyan authorities to refrain from reprisals, including arbitrary detentions, calls upon the Libyan authorities to take all steps necessary to prevent reprisals, wrongful imprisonment and extrajudicial executions, and underscores the responsibility of the Libyan authorities for the protection of Libya's population, including foreign nationals and African migrants;

4. *Urges* all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for violations of international human rights and international humanitarian law;

Protection of civilians

5. *Decides* that the provisions of paragraphs 4 and 5 of resolution 1973 (2011) shall be terminated from 23.59 hours Libyan local time on 31 October 2011;

No-fly zone

6. *Decides* that the provisions of paragraphs 6 to 12 of resolution 1973 (2011) shall be terminated from 23.59 hours Libyan local time on 31 October 2011;

7. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6640th meeting.

Decision

At its 6644th meeting, on 31 October 2011, the Security Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

Resolution 2017 (2011)
of 31 October 2011

The Security Council,

Recalling its previous resolutions 1373 (2001) of 28 September 2001, 1526 (2004) of 30 January 2004, 1540 (2004) of 28 April 2004, 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 1977 (2011) of 20 April 2011, 1989 (2011) of 17 June 2011, 2009 (2011) of 16 September 2011 and 2016 (2011) of 27 October 2011, and the statements by its President of 17 February 2005[398] and 19 March 2010,[399]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Stressing that national ownership and national responsibility are key to establishing sustainable peace in Libya,

Stressing also the importance of the United Nations Support Mission in Libya, in accordance with its mandate under resolution 2009 (2011), assisting and supporting Libyan national efforts, inter alia, to restore public security and order,

Recalling that, pursuant to paragraph 10 of resolution 1970 (2011), Member States are obliged to prohibit the procurement of all arms and related materiel from Libya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of Libya,

Expressing its concern at the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya in the region and its potential impact on regional and international peace and security,

Underlining the risk of destabilization posed by the dissemination in the Sahel region of illicit small arms and light weapons, and recalling in that regard the report of the Secretary-General on the activities of the United Nations Office for West Africa,[400] which, inter alia, calls for strengthened cooperation in the Sahel area, as well as the work of the United Nations Regional Office for Central Africa,

Recognizing the urgent need for additional efforts to be made at the national, regional and international levels, in order to prevent the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, in the region,

Recognizing also the urgent need to secure and destroy chemical weapons stockpiles in Libya, in accordance with its international obligations,

Emphasizing that the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, in the region could fuel terrorist activities, including those of Al-Qaida in the Islamic Maghreb,

Reaffirming, in that regard, that terrorism constitutes one of the most serious threats to international peace and security,

Reiterating the obligation of Member States to cooperate in order to prevent the movement of terrorist groups and the proliferation of arms in support of terrorist activities, inter alia, through effective border control,

Mindful of its primary responsibility for the maintenance of international peace and security,

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[398] S/PRST/2005/7.

[399] S/PRST/2010/6.

[400] S/2011/388.

1. *Calls upon* the Libyan authorities to take all steps necessary to prevent the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, to ensure their proper custody, as well as to meet Libya's arms control, disarmament and non-proliferation obligations under international law, through the full implementation of their plans in this regard;

2. *Also calls upon* the Libyan authorities to continue their close coordination with the Organization for the Prohibition of Chemical Weapons, with the aim of destroying their stockpiles of chemical weapons, in accordance with their international obligations;

3. *Calls upon* States in the region to consider appropriate measures to prevent the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, in the region;

4. *Calls upon* Member States and international and regional organizations and entities, including relevant United Nations bodies, to provide the necessary assistance to the Libyan authorities and States in the region in order to achieve this goal;

5. *Requests* the Security Council Committee established pursuant to resolution 1970 (2011), with assistance from its Panel of Experts, in cooperation with the Counter-Terrorism Committee Executive Directorate, working with other relevant United Nations bodies, including the International Civil Aviation Organization, and in consultation with international and regional organizations and entities, to assess the threats and challenges, in particular related to terrorism, posed by the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya in the region, and to submit a report to the Council on proposals to counter this threat and to prevent the proliferation of arms and related materiel, including, inter alia, measures to secure these arms and related materiel, to ensure that stockpiles are managed safely and securely, to strengthen border control and to enhance transport security;

6. *Requests* the Secretary-General to include in his reports to the Council pursuant to resolution 2009 (2011) updates on the implementation of the present resolution;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 6644th meeting.

Decisions

At its 6647th meeting, on 2 November 2011, the Security Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6669th meeting, on 28 November 2011, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Libya

> "Report of the Secretary-General on the United Nations Support Mission in Libya (S/2011/727)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6673rd meeting, on 2 December 2011, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Libya

> "Report of the Secretary-General on the United Nations Support Mission in Libya (S/2011/727)".

Resolution 2022 (2011)
of 2 December 2011

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011 and 2017 (2011) of 31 October 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling its decision to establish the United Nations Support Mission in Libya for an initial period of three months until 16 December 2011 to assist and support Libyan national efforts in the post-conflict phase,

Welcoming the establishment of the transitional Government of Libya on 22 November 2011, and stressing its key role in creating the conditions conducive to the full implementation of the mandate of the Mission,

Welcoming also the engagement of the Secretary-General and the President of the General Assembly, including through their recent visit to Libya, which affirmed the key role of the United Nations in supporting Libyan national efforts in the post-conflict phase,

Looking forward to an assessment of needs by the Mission and the transitional Government of Libya by 16 March 2012, cooperating with all relevant international partners, including the international financial institutions, with a view to continuing the work of the United Nations in coordinating international support to the transitional Government of Libya on the basis of its needs,

Stressing the importance of the continued support by the United Nations, including the Mission, to the transitional Government of Libya in addressing immediate priorities as set out in paragraph 12 of resolution 2009 (2011),

Taking note of the report of the Secretary-General on the Mission,[401] including the recommendation for a three-month extension of the mandate of the Mission,

1. *Decides* to extend the mandate of the United Nations Support Mission in Libya established pursuant to paragraph 12 of resolution 2009 (2011) until 16 March 2012, and looks forward to the report of the Secretary-General, including recommendations on the next phase of support by the Mission to Libya;

2. *Decides also* that the mandate of the Mission shall, in addition, include, in coordination and consultation with the transitional Government of Libya, assisting and supporting Libyan national efforts to address the threats of proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, taking into account, among other things, the report referred to in paragraph 5 of resolution 2017 (2011);

3. *Decides further* to remain actively seized of the matter.

Adopted unanimously at the 6673rd meeting.

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[401] S/2011/727.

Decisions

At its 6698th meeting, on 22 December 2011, the Security Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Libya
>
> > "Report of the Secretary-General on the United Nations Support Mission in Libya (S/2011/727)
> >
> > "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6707th meeting, on 25 January 2012, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya, and Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights.

At its 6728th meeting, on 29 February 2012, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6731st meeting, on 7 March 2012, the Council decided to invite the representative of Libya (Prime Minister) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Libya
>
> > "Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/129)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6733rd meeting, on 12 March 2012, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation in Libya
>
> > "Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/129)
> >
> > "Letter dated 7 March 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/139)".

Resolution 2040 (2012)
of 12 March 2012

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011, 2017 (2011) of 31 October 2011 and 2022 (2011) of 2 December 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict and its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Emphasizing the importance of promoting the equal and full participation of all sectors of Libyan society, including women, youth and minority communities, in the political process in the post-conflict phase,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law, including attacks targeting civilians, are held accountable,

Expressing deep concern about reports of sexual violence during the conflict in Libya against women, men and children, including in prison facilities and detention centres, and the recruitment and use of children in situations of armed conflict in contravention of applicable international law,

Reiterating that the voluntary, safe and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing its concern at the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, from Libya in the region and its potential impact on regional and international peace and security,

Stressing that national ownership and national responsibility are key to establishing sustainable peace and that it is the primary responsibility of national authorities to identify their priorities and strategies for post-conflict peacebuilding,

Stressing also the need for the United Nations to work actively with the Libyan authorities to identify and support delivery of the priorities and strategies for post-conflict peacebuilding,

Reaffirming that the United Nations should lead the coordination of the efforts of the international community in supporting the Libyan-led transition and rebuilding process aimed at establishing a democratic, independent and united Libya, and appreciating the assistance of the United Nations Support Mission in Libya in convening recent workshops with the Libyan Government to identify national needs and priorities,

Noting the centrality of credible elections to a peaceful transition in Libya, encouraging the taking of all necessary steps in this regard, and welcoming the adoption of a Libyan national electoral law on 28 January 2012 and the establishment of an Electoral Commission on 12 February 2012, *Supporting* Libya's intention to strengthen regional security, and taking note of its proposal to host a regional security conference,

Commending the Libyan authorities for engaging with the International Monetary Fund and the World Bank on conducting an assessment of Libya's public financial management framework, and reiterating its request that the Security Council Committee established pursuant to resolution 1970 (2011) be informed of the results of that assessment,

Taking note of the report of the Secretary-General on the Mission,[402] including the recommendation for the modification and twelve-month extension of the mandate of the Mission, and recalling the letter dated 6 March 2012 from Mr. Abdurrahim el-Keib, Prime Minister of Libya, to the Secretary-General,[403]

Taking note also of the final report of the Panel of Experts on Libya submitted pursuant to paragraph 24 (*d*) of resolution 1973 (2011)[404] and the findings and recommendations contained therein,

Taking note further of its briefing by the United Nations High Commissioner for Human Rights on 25 January 2012[405] and the report of the International Commission of Inquiry on Libya to the Human Rights Council of 2 March 2012,[406]

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter,

1. *Welcomes* the recent positive developments in Libya, which will improve the prospects for a democratic, peaceful and prosperous future for its people;

2. *Looks forward* to free, fair and credible elections in June 2012 to establish a Constituent Assembly, and reiterates the need for the transitional period to be underpinned by a commitment to democracy, good governance, the rule of law, national reconciliation and respect for the human rights and fundamental freedoms of all people in Libya;

3. *Calls upon* the Libyan authorities to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, calls for those responsible for serious violations of such law, including sexual violence, to be held accountable in accordance with international standards, and urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for such violations;

4. *Expresses grave concern* at continuing reports of reprisals, arbitrary detentions without access to due process, wrongful imprisonment, mistreatment, torture and extrajudicial executions in Libya, and calls upon the Libyan authorities to take all steps necessary to prevent violations of human rights, underscores the primary responsibility of the Libyan authorities for the protection of Libya's population, as well as foreign nationals, including African migrants, and calls for the immediate release of all foreign nationals illegally detained in Libya;

5. *Encourages* Libya and neighbouring States to engage in order to establish regional cooperation aimed at stabilization of the situation in Libya and to prevent former Libyan regime elements from using the territories of such States to plan, fund or carry out violent or other illicit acts to destabilize Libya and the States in the region, and notes that such cooperation would benefit stability in the Sahel region;

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[402] S/2012/129.

[403] S/2012/139, annex.

[404] See S/2012/163, annex.

[405] See S/PV.6707.

[406] A/HRC/19/68.

United Nations mandate

6. *Decides* to extend the mandate of the United Nations Support Mission in Libya for a further period of twelve months, subject to review within six months, under the leadership of a Special Representative of the Secretary-General for Libya, and decides further that the modified mandate of the Mission, in full accordance with the principles of national ownership, shall be to assist the Libyan authorities to define national needs and priorities throughout Libya and to match these with offers of strategic and technical advice where appropriate, and support Libyan efforts:

(*a*) To manage the process of democratic transition, including through technical advice and assistance to the Libyan electoral process and the process of preparing and establishing a new Libyan constitution, as set out in the National Transitional Council's constitutional road map, and assistance that improves institutional capacity, transparency and accountability, promotes the empowerment and political participation of women and minorities and supports the further development of Libyan civil society;

(*b*) To promote the rule of law and monitor and protect human rights, in accordance with Libya's international legal obligations, particularly those of women and people belonging to vulnerable groups, such as children, minorities and migrants, including by assisting the Libyan authorities to reform and build transparent and accountable justice and correctional systems, supporting the development and implementation of a comprehensive transitional justice strategy, and providing assistance towards national reconciliation and support to ensure the proper treatment of detainees and the demobilization of any children remaining associated with revolutionary brigades;

(*c*) To restore public security, including through the provision of appropriate strategic and technical advice and assistance to the Libyan Government to develop capable institutions and implement a coherent national approach to the integration of ex-combatants into Libyan national security forces or their demobilization and reintegration into civilian life, including education and employment opportunities, and to develop police and security institutions that are capable, accountable, respectful of human rights and accessible and responsive to women and vulnerable groups;

(*d*) To counter the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, clear explosive remnants of war, conduct demining programmes, secure and manage Libya's borders and implement international conventions on chemical, biological and nuclear weapons and materials, in coordination with the relevant United Nations agencies, the Organization for the Prohibition of Chemical Weapons and international and regional partners;

(*e*) To coordinate international assistance and build government capacity across all relevant sectors set out in relation to paragraphs 6 (*a*) to (*d*), including by supporting the coordination mechanism within the Libyan Government announced on 31 January 2012, advising the Government to help to identify priority needs for international support, engaging international partners in the process wherever appropriate, facilitating international assistance to the Government and establishing a clear division of labour and regular and frequent communication between all those providing assistance to Libya;

7. *Encourages* the Mission to continue to support efforts to promote national reconciliation, inclusive political dialogue and political processes aimed at promoting free, fair and credible elections, transitional justice and respect for human rights throughout Libya;

Arms embargo

8. *Decides* to terminate the authorization granted in paragraph 13 of resolution 1973 (2011) to Member States to use all measures commensurate to the specific circumstances to carry out inspections pursuant to that paragraph, decides further to terminate paragraph 14 of that

resolution, and underscores the importance of the full implementation of the arms embargo imposed in paragraphs 9 and 10 of resolution 1970 (2011), as modified by resolution 2009 (2011);

Asset freeze

9. *Directs* the Security Council Committee established pursuant to resolution 1970 (2011), in consultation with the Libyan authorities, to review continuously the remaining measures imposed by resolutions 1970 (2011) and 1973 (2011), as modified by resolution 2009 (2011), with respect to the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and decides that the Committee shall, in consultation with the Libyan authorities, lift the designation of these entities as soon as practical to ensure that the assets are made available to and for the benefit of the people of Libya;

Panel of Experts

10. *Decides* to extend and modify the mandate of the Panel of Experts on Libya, established pursuant to paragraph 24 of resolution 1973 (2011), and decides further to adjust the mandate to create for a period of one year, in consultation with the Committee and taking into account the current areas of activity, a group of up to five experts ("the Panel") under the direction of the Committee to carry out the following tasks:

(*a*) Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011);

(*b*) Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in resolutions 1970 (2011), 1973 (2011) and 2009 (2011), in particular incidents of non-compliance;

(*c*) Make recommendations on actions that the Council, the Committee, the Libyan authorities or other States may consider to improve implementation of the relevant measures;

(*d*) Provide to the Council an interim report on its work no later than ninety days after the appointment of the Panel, and a final report to the Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

11. *Urges* all States, relevant United Nations bodies, including the Mission, and other interested parties to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), in particular incidents of non-compliance;

12. *Encourages* the Panel, while mindful of the responsibility of the Mission for assisting the Libyan authorities to counter the illicit proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, and to secure and manage Libya's borders, to continue its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya and the assets of individuals subject to the asset freeze established in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), and encourages the Mission and the Libyan authorities to support the investigatory work of the Panel inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

Reporting and review

13. *Expresses its intent* to review the mandate of the Committee in the event that the measures imposed in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011) and in the present resolution should be lifted by a future decision of the Council;

14. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution, including all elements of the mandate of the Mission, every sixty days;

15. *Also requests* the Secretary-General to report to the Council following the election of a Constituent Assembly on steps taken by the Mission to engage with the new Libyan Government in order to ensure that it continues effectively to support Libya's specific needs, with a view to reviewing and adjusting the mandate as necessary;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6733rd meeting.

Decisions

At its 6768th meeting, on 10 May 2012, the Security Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Libya

> "Letter dated 23 March 2012 from the Chairman of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council (S/2012/178)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

At its 6772nd meeting, on 16 May 2012, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6807th meeting, on 18 July 2012, the Council decided to invite the representative of Libya to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Libya".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya.

Part II. Other matters considered by the Security Council

SECURITY COUNCIL DOCUMENTATION AND WORKING METHODS AND PROCEDURE

A. Implementation of the note by the President of the Security Council (S/2010/507)

Decision

At its 6672nd meeting, on 30 November 2011, the Security Council decided to invite the representatives of Australia, Belgium, Costa Rica, Egypt, Finland, Guatemala, Iran (Islamic Republic of), Japan, Jordan, Liechtenstein, Luxembourg, Malaysia, Mexico, Morocco, New Zealand, Singapore, Slovenia, Spain, the Sudan and Switzerland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Implementation of the note by the President of the Security Council (S/2010/507)

> "Letter dated 18 November 2011 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (S/2011/726)".

B. General matters

Decisions

On 20 October 2011, the President of the Security Council issued the following note:[407]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[408] and after consultations among the members of the Council, it was agreed to elect the Chairs and Vice-Chairs of subsidiary bodies for the period ending 31 December 2011 as follows:

Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Chair:	Hardeep Singh Puri (India)
Vice-Chairs:	Lebanon and Nigeria

Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities

Chair:	Peter Wittig (Germany)
Vice-Chairs:	Brazil and Russian Federation

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chair:	Hardeep Singh Puri (India)
Vice-Chairs:	France, Gabon and Russian Federation

Security Council Committee established pursuant to resolution 1518 (2003)

Chair:	U. Joy Ogwu (Nigeria)
Vice-Chair:	India

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[407] S/2011/2/Rev.3.

[408] S/1998/1016.

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chair:	Nawaf Salam (Lebanon)
Vice-Chairs:	Portugal and South Africa

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chair:	Maria Luiza Ribeiro Viotti (Brazil)
Vice-Chairs:	Gabon and Lebanon

Security Council Committee established pursuant to resolution 1540 (2004)

Chair:	Baso Sangqu (South Africa)
Vice-Chairs:	Lebanon, Portugal and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chair:	Maria Luiza Ribeiro Viotti (Brazil)
Vice-Chairs:	Germany and South Africa

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chair:	Néstor Osorio (Colombia)
Vice-Chairs:	Bosnia and Herzegovina and India

Security Council Committee established pursuant to resolution 1636 (2005)

Chair:	Nelson Messone (Gabon)
Vice-Chairs:	Bosnia and Herzegovina and Germany

Security Council Committee established pursuant to resolution 1718 (2006)

Chair:	José Filipe Moraes Cabral (Portugal)
Vice-Chairs:	Lebanon and Nigeria

Security Council Committee established pursuant to resolution 1737 (2006)

Chair:	Néstor Osorio (Colombia)
Vice-Chair:	Nigeria

Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya[409]

Chair:	José Filipe Moraes Cabral (Portugal)
Vice-Chair:	India

Security Council Committee established pursuant to resolution 1988 (2011)

Chair:	Peter Wittig (Germany)
Vice-Chairs:	Brazil and Russian Federation

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[409] On 17 October 2011, the Security Council amended the name of the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya to "Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya".

Working Group on Peacekeeping Operations

Chair: U. Joy Ogwu (Nigeria)

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Chair: Baso Sangqu (South Africa)

Working Group established pursuant to resolution 1566 (2004)

Chair: Hardeep Singh Puri (India)

Working Group on Children and Armed Conflict

Chair: Peter Wittig (Germany)

Informal Working Group on Documentation and Other Procedural Questions

Chair: Ivan Barbalić (Bosnia and Herzegovina)

Informal Working Group on International Tribunals

Chair: José Filipe Moraes Cabral (Portugal)"

In a letter dated 21 February 2012, the President of the Security Council informed the Secretary-General of the selection of Colombia and Morocco as the two members of the Council's elected member category for the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2012.[410]

On 5 June 2012, the President of the Security Council issued the following note:[411]

"1. The members of the Security Council reaffirm their commitment to enhancing the efficiency of the work of the Council and agree on the following:

"Conference resources

"2. While ensuring the capacity to hold meetings of the Council at any time and at short notice, in accordance with rules 1 and 2 of its provisional rules of procedure, the members of the Council, during their respective presidencies, should ordinarily request the Secretariat to plan no more than four days per week of Council business, with Fridays normally being reallocated to facilitate the work of the subsidiary organs of the Council.

"3. Where appropriate, the members of the Council should ordinarily seek to avoid the need for draft resolutions or other documents to be translated over the weekend.

"Interactivity

"4. The members of the Council encourage the President of the Council, with the assistance of the Secretariat, to actively promote additional appropriate measures to increase interactivity and a more efficient use of time in briefings during informal consultations of the whole.

"5. The members of the Council intend to resort more often to the use of video teleconferencing for briefing the Council, where appropriate, while preserving a balanced approach between video teleconferencing and briefings in person, including during open meetings in the open chamber.

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[410] The letter, which was issued as a Security Council document under the symbol S/2012/103, has been reproduced on page 241 of the present volume.

[411] S/2012/402.

"6. The members of the Council encourage briefers to be succinct and to focus on key themes rather than reading out lengthy prepared statements. They invite the Secretariat to follow the practice of circulating the briefing texts at briefings and, in particular, where their statements contain extensive or complicated factual information, encourage briefers to circulate written summaries of that information, whenever possible in advance, to allow for a more focused discussion during informal consultations. In cases where information or clarification requested by Council members is not readily available during the briefing in informal consultations, briefers may provide it at a later time.

"7. The members of the Council plan to minimize, to the extent possible, the reading out of lengthy prepared statements in informal consultations of the whole.

"8. The members of the Council encourage the use of practical measures such as those above, which would make it feasible, whenever possible, to hold informal consultations on two issues in a three-hour Council meeting, notably with regard to situations routinely on its agenda, thereby promoting planning accuracy and overall efficiency in the work of the Council.

"9. The members of the Council express general support for continuing the practice of holding monthly 'luncheons with the Secretary-General'. Members of the Council and the Secretariat should continue to use the 'any other business' agenda item during informal consultations to raise issues of concern. The members of the Council will continue their consideration of additional ways to increase interactivity in informal consultations.

"10. The members of the Council will consider ways and means of further enhancing interaction with and seeking the views of non-Council members, particularly the interested or concerned States, on issues on its agenda."

On 13 June 2012, the President of the Security Council issued the following note:[412]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[408] and after consultations among the members of the Council, it was agreed to elect the Chairs and Vice-Chairs of subsidiary bodies for the period ending 31 December 2012 as follows:

Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Chair:	Hardeep Singh Puri (India)
Vice-Chairs:	Pakistan and Togo

Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities

Chair:	Peter Wittig (Germany)
Vice-Chairs:	Guatemala and Russian Federation

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chair:	Hardeep Singh Puri (India)
Vice-Chairs:	France, Morocco and Russian Federation

Security Council Committee established pursuant to resolution 1518 (2003)

Chair:	Kodjo Menan (Togo)
Vice-Chair:	India

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[412] S/2012/2/Rev.1. Previously issued on 3 January and 13 June 2012 as documents S/2012/2 and Add.1.

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chair: Abdullah Hussain Haroon (Pakistan)
Vice-Chairs: Portugal and South Africa

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chair: Agshin Mehdiyev (Azerbaijan)
Vice-Chairs: Morocco and Pakistan

Security Council Committee established pursuant to resolution 1540 (2004)

Chair: Baso Sangqu (South Africa)
Vice-Chairs: Azerbaijan, Portugal and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chair: Gert Rosenthal (Guatemala)
Vice-Chairs: Germany and South Africa

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chair: Néstor Osorio (Colombia)
Vice-Chairs: Azerbaijan and India

Security Council Committee established pursuant to resolution 1636 (2005)

Chair: Kodjo Menan (Togo)
Vice-Chairs: Azerbaijan and Germany

Security Council Committee established pursuant to resolution 1718 (2006)

Chair: José Filipe Moraes Cabral (Portugal)
Vice-Chairs: Azerbaijan and Togo

Security Council Committee established pursuant to resolution 1737 (2006)

Chair: Néstor Osorio (Colombia)
Vice-Chair: Togo

Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya

Chair: José Filipe Moraes Cabral (Portugal)
Vice-Chair: India

Security Council Committee established pursuant to resolution 1988 (2011)

Chair: Peter Wittig (Germany)
Vice-Chairs: Guatemala and Russian Federation

Security Council Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau

Chair: Mohammed Loulichki (Morocco)

Working Group on Peacekeeping Operations

Chair: Mohammed Loulichki (Morocco)

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Chair: Baso Sangqu (South Africa)

Working Group established pursuant to resolution 1566 (2004)

Chair: Hardeep Singh Puri (India)

Working Group on Children and Armed Conflict

Chair: Peter Wittig (Germany)

Informal Working Group on Documentation and Other Procedural Questions

Chair: José Filipe Moraes Cabral (Portugal)

Informal Working Group on International Tribunals

Chair: Gert Rosenthal (Guatemala)"

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 6641st meeting, on 27 October 2011, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[413]

> "At its 6641st meeting, held on 27 October 2011, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2010 to 31 July 2011. The Council adopted the draft report without a vote."

INTERNATIONAL COURT OF JUSTICE[414]

A. Date of election to fill a vacancy in the International Court of Justice

Decision

At its 6704th meeting, on 19 January 2012, the Security Council considered the item entitled:

"Date of election to fill a vacancy in the International Court of Justice

> "Note by the Secretary-General concerning the date of an election to fill a vacancy in the International Court of Justice (S/2012/38)".

Resolution 2034 (2012) of 19 January 2012

The Security Council,

Noting with regret the resignation of Judge Awn Shawkat Al-Khasawneh with effect from 31 December 2011,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Al-Khasawneh has thus occurred and must be filled in accordance with the terms of the Statute of the Court,

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[413] S/2011/664

[414] Resolutions or decisions on this question were first adopted by the Security Council in 1946.

Noting also that, in accordance with article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 27 April 2012 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-sixth session.

Adopted without a vote at the 6704th meeting

B. Election of five members of the International Court of Justice (S/2011/452, S/2011/453 and S/2011/454)

Decision

On 10 November and 13 December 2011, the Security Council, at its 6651st and 6682nd meetings, and the General Assembly, at the 53rd and 84th plenary meetings of its sixty-sixth session, elected five members of the International Court of Justice to fill the vacancies occurring on the expiration of the terms of office of the following judges:

Mr. Abdul G. Koroma (Sierra Leone)
Mr. Hisashi Owada (Japan)
Mr. Bruno Simma (Germany)
Mr. Peter Tomka (Slovakia)
Ms. Xue Hanqin (China)

The following persons were elected as members of the International Court of Justice for a term of office beginning on 6 February 2012:

Mr. Giorgio Gaja (Italy)
Mr. Hisashi Owada (Japan)
Ms. Julia Sebutinde (Uganda)
Mr. Peter Tomka (Slovakia)
Ms. Xue Hanqin (China)

C. Election of a member of the International Court of Justice (S/2012/211, S/2012/212 and Add.1 and S/2012/213)

Decision

On 27 April 2012, the Security Council, at its 6763rd meeting, and the General Assembly, at the 107th plenary meeting of its sixty-sixth session, elected Mr. Dalveer Bhandari, of India, to the International Court of Justice to fill a vacancy created by the resignation of Judge Awn Shawkat Al-Khasawneh, of Jordan.

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS[414]

Decision

At its 6624th meeting, on 28 September 2011, the Security Council, following the adoption of its agenda, decided to refer the application of Palestine for admission to membership in the United Nations[415] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

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[415] See S/2011/592.

Items included in the agenda of the Security Council for the first time from 1 August 2011 to 31 July 2012

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2011 to 31 July 2012 will be found in the records of the 6598th to 6819th meetings (S/PV.6598–6819).

The following list of items shows also the meetings at which the Council decided, during that period, to include in the agenda items that had not been inscribed previously.

Item	*Meeting*	*Date*
Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B		
United Nations Mission in South Sudan	6797th	29 June 2012
United Nations Supervision Mission in the Syrian Arab Republic	6803rd	10 July 2012

Checklist of resolutions adopted by the Security Council from 1 August 2011 to 31 July 2012

Resolution number	*Date of adoption*	*Subject*	*Page*
2004 (2011)	30 August 2011	The situation in the Middle East	5
2005 (2011)	14 September 2011	The situation in Sierra Leone	139
2006 (2011)	14 September 2011	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	98
2007 (2011)	14 September 2011	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	97
2008 (2011)	16 September 2011	The situation in Liberia	46
2009 (2011)	16 September 2011	The situation in Libya	282
2010 (2011)	30 September 2011	The situation in Somalia	59
2011 (2011)	12 October 2011	The situation in Afghanistan	119
2012 (2011)	14 October 2011	The question concerning Haiti	107
2013 (2011)	14 October 2011	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	99
2014 (2011)	21 October 2011	The situation in the Middle East	7
2015 (2011)	24 October 2011	The situation in Somalia	65
2016 (2011)	27 October 2011	The situation in Libya	287
2017 (2011)	31 October 2011	The situation in Libya	289
2018 (2011)	31 October 2011	Peace and security in Africa	263
2019 (2011)	16 November 2011	The situation in Bosnia and Herzegovina	89
2020 (2011)	22 November 2011	The situation in Somalia	69
2021 (2011)	29 November 2011	The situation concerning the Democratic Republic of the Congo	145
2022 (2011)	2 December 2011	The situation in Libya	291
2023 (2011)	5 December 2011	Peace and security in Africa	265
2024 (2011)	14 December 2011	Reports of the Secretary-General on the Sudan	209
2025 (2011)	14 December 2011	The situation in Liberia	51
2026 (2011)	14 December 2011	The situation in Cyprus	28
2027 (2011)	20 December 2011	The situation in Burundi	115
2028 (2011)	21 December 2011	The situation in the Middle East	10

Checklist of resolutions adopted by the Security Council from 1 August 2011 to 31 July 2012

Resolution number	*Date of adoption*	*Subject*	*Page*
2029 (2011)	21 December 2011	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	100
2030 (2011)	21 December 2011	The situation in Guinea-Bissau	161
2031 (2011)	21 December 2011	The situation in the Central African Republic	156
2032 (2011)	22 December 2011	Reports of the Secretary-General on the Sudan	211
2033 (2012)	12 January 2012	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	278
2034 (2012)	19 January 2012	Date of election to fill a vacancy in the International Court of Justice	303
2035 (2012)	17 February 2012	Reports of the Secretary-General on the Sudan	214
2036 (2012)	22 February 2012	The situation in Somalia	76
2037 (2012)	23 February 2012	The situation in Timor-Leste	38
2038 (2012)	29 February 2012	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	105
2039 (2012)	29 February 2012	Peace consolidation in West Africa	250
2040 (2012)	12 March 2012	The situation in Libya	293
2041 (2012)	22 March 2012	The situation in Afghanistan	126
2042 (2012)	14 April 2012	The situation in the Middle East	17
2043 (2012)	21 April 2012	The situation in the Middle East	19
2044 (2012)	24 April 2012	The situation concerning Western Sahara	34
2045 (2012)	26 April 2012	The situation in Côte d'Ivoire	189
2046 (2012)	2 May 2012	Reports of the Secretary-General on the Sudan	221
2047 (2012)	17 May 2012	Reports of the Secretary-General on the Sudan	225
2048 (2012)	18 May 2012	The situation in Guinea-Bissau	166
2049 (2012)	7 June 2012	Non-proliferation	248
2050 (2012)	12 June 2012	Non-proliferation/Democratic People's Republic of Korea	254
2051 (2012)	12 June 2012	The situation in the Middle East	22
2052 (2012)	27 June 2012	The situation in the Middle East	26
2053 (2012)	27 June 2012	The situation concerning the Democratic Republic of the Congo	149

Checklist of resolutions adopted by the Security Council from 1 August 2011 to 31 July 2012

Resolution number	*Date of adoption*	*Subject*	*Page*
2054 (2012)	29 June 2012	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	102
2055 (2012)	29 June 2012	Non-proliferation of weapons of mass destruction	207
2056 (2012)	5 July 2012	Peace and security in Africa	271
2057 (2012)	5 July 2012	Reports of the Secretary-General on the Sudan	228
2058 (2012)	19 July 2012	The situation in Cyprus	31
2059 (2012)	20 July 2012	The situation in the Middle East	27
2060 (2012)	25 July 2012	The situation in Somalia	85
2061 (2012)	25 July 2012	The situation concerning Iraq	243
2062 (2012)	26 July 2012	The situation in Côte d'Ivoire	194
2063 (2012)	31 July 2012	Reports of the Secretary-General on the Sudan	234

Draft resolutions considered at a formal meeting and not adopted

Draft resolution	*Subject*	*Meeting*	*Date*	*Page*
S/2011/612	The situation in the Middle East	6627th	4 October 2011	7
S/2012/77	The situation in the Middle East	6711th	4 February 2012	12
S/2012/538	The situation in the Middle East	6810th	19 July 2012	27

Checklist of statements made by the President of the Security Council from 1 August 2011 to 31 July 2012

Date of statement	*Subject*	*Page*
3 August 2011	The situation in the Middle East (S/PRST/2011/16)	4
26 August 2011	United Nations peacekeeping operations (S/PRST/2011/17)	43
22 September 2011	Maintenance of international peace and security: conflict prevention (S/PRST/2011/18)	255
12 October 2011	Maintenance of international peace and security: moving forward with security sector reform – prospects and challenges in Africa (S/PRST/2011/19)	257
28 October 2011	Women and peace and security (S/PRST/2011/20)	173
14 November 2011	Central African region (S/PRST/2011/21)	202
19 December 2011	The situation in Afghanistan (S/PRST/2011/22)	125
19 January 2012	The promotion and strengthening of the rule of law in the maintenance of international peace and security (S/PRST/2012/1)	200
21 February 2012	Peace and security in Africa: the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region (S/PRST/2012/2)	275
23 February 2012	Women and peace and security (S/PRST/2012/3)	176
5 March 2012	The situation in Somalia (S/PRST/2012/4)	82
6 March 2012	Reports of the Secretary-General on the Sudan (S/PRST/2012/5)	217
21 March 2012	The situation in the Middle East (S/PRST/2012/6)	12
26 March 2012	Peace and security in Africa (S/PRST/2012/7)	269
29 March 2012	The situation in the Middle East (S/PRST/2012/8)	14
4 April 2012	Peace and security in Africa (S/PRST/2012/9)	270
5 April 2012	The situation in the Middle East (S/PRST/2012/10)	15
11 April 2012	The situation in Sierra Leone (S/PRST/2012/11)	142
12 April 2012	Reports of the Secretary-General on the Sudan (S/PRST/2012/12)	220
16 April 2012	Non-proliferation/Democratic People's Republic of Korea (S/PRST/2012/13)	253
19 April 2012	Maintenance of international peace and security: nuclear non-proliferation, disarmament and security (S/PRST/2012/14)	260
21 April 2012	The situation in Guinea-Bissau (S/PRST/2012/15)	165
25 April 2012	Threats to international peace and security (S/PRST/2012/16)	245
4 May 2012	Threats to international peace and security caused by terrorist acts (S/PRST/2012/17)	184
29 June 2012	Central African region (S/PRST/2012/18)	205